S T A T E O F N E W Y O R K

9182--B

2009-2010 Regular Sessions

I N A S S E M B L Y

October 13, 2009

Introduced by M. of A. LATIMER -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the village of Mamaroneck, in the county of Westchester, to offer certain retirement options to police officers Scott Fraioli and Dominick Lanza

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Notwithstanding any other provision of law to the contrary, the village of Mamaroneck, in the county of Westchester, a participating employer in the New York state and local police and fire retirement system, which previously elected to offer the optional retirement plan established pursuant to section 384-d of the retirement and social security law to police officers employed by such village, is hereby authorized to make participation in such plan available to Scott Fraioli and Dominick Lanza, police officers employed by the village of Mamaroneck, who, on the effective date of this act are covered under the provisions of section 375-i of the retirement and social security law, and who, for reasons not ascribable to their own negligence failed to make a timely application to participate in such optional retirement plan. The village of Mamaroneck may so elect by filing with the state comptroller, on or before December 31, 2010, a resolution of its legislative body together with certification that any such police officers did not bar themselves from participation in such retirement plan as a result of their own negligence. Thereafter, such police officers may elect to be covered by the provisions of section 384-d of the retirement and social security law, and shall be entitled to the full rights and benefits associated

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD14671-07-0

with coverage under such section, by filing a request to that effect with the state comptroller on or before June 30, 2011.

S 2. All costs associated with implementing the provisions of this act shall be borne by the village of Mamaroneck.

S 3. This act shall take effect immediately.

FISCAL NOTE.--Pursuant to Legislative Law, Section 50:

This bill will allow the Village of Mamaroneck to elect to reopen the provisions of Section 384-d of the Retirement and Social Security Law for all Police Officers currently employed by the Village.

If this bill is enacted and the two eligible officers become covered under Section 384-d, we anticipate that there will be an increase of approximately $9,900 in the annual contributions of the Village of Mamaroneck for the fiscal year ending March 31, 2011.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $165,000 which would be borne by the Village of Mamaroneck as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2011.

This estimate, dated January 11, 2010 and intended for use only during the 2010 Legislative Session, is Fiscal Note No. 2010-57, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.