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

9498

I N A S S E M B L Y

January 7, 2010

Introduced by M. of A. CORWIN -- read once and referred to the Committee on Governmental Employees

AN ACT in relation to the initial date of enrollment provided by Lynn P. Smith as a Tier I member of the New York state and local employees' retirement system

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

Section 1. Notwithstanding any inconsistent provision of law, Lynn P. Smith, New York state and local employees' retirement system registration number 12723755 Loc Code 20028, who was employed by the city of Lockport Youth Bureau with a starting date of October 27, 1970, and who has been granted service credit as of such date by the New York state and local employees' retirement system, and who, for reasons not ascribable to her own negligence, was not enrolled in the New York state and local employees' retirement system until September 20, 1972, shall be deemed to have joined such retirement system with an enrollment date of October 27, 1970 and shall be entitled to every right, benefit and privilege which should have been available to her on such date if on or before December 31, 2010 she shall file a written request with the comptroller to that effect. Any past service costs incurred by operation of the provisions of this act shall be borne by the city of Lockport.

S 2. This act shall take effect immediately.

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

This bill will deem retiree Lynn P. Smith to have become a member of the New York State and Local Employees' Retirement System on October 27, 1970, thereby making her eligible for any payment of lump sum vacation pay at retirement to be included in the calculation of her final average salary.

If this bill is enacted, there will be an immediate past service cost of approximately $11,700 which will be borne by the City of Lockport, as a one-time payment. This cost assumes a payment date of February 1, 2011.

This estimate, dated December 22, 2009 and intended for use only during the 2010 Legislative Session, is Fiscal Note No. 2010-53, prepared by the Actuary for the New York State and Local Employees' Retirement System.

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

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