

1813

2009-2010 Regular Sessions

I N S E N A T E

February 9, 2009

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to grant Normajean Cesario a retroactive system membership date and tier I status in 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:

1 Section 1. Notwithstanding any other provision of law, Normajean
2 Cesario, an active member of the New York state and local employees'
3 retirement system with Tier IV status, who was first employed by New
4 York city health and hospitals corporation as a nurse from July 10, 1967
5 to February 1969 and who, for reasons not ascribable to her own negli-
6 gence, failed to become a member of the New York city employees' retire-
7 ment system while so employed by the New York city health and hospitals
8 corporation, shall be deemed to have joined the New York state and local
9 employees' retirement system on July 10, 1967 with Tier I status, if, on
10 or before December 31, 2009, she shall file a written application there-
11 for with the state comptroller.

12 S 2. No contributions made to the New York state and local employees'
13 retirement system by Normajean Cesario shall be returned to her. Such
14 employee contributions shall be used to offset any past service cost
15 incurred due to the implementation of the provisions of this act.

16 S 3. All costs of implementing the provisions of this act shall be
17 borne by the state of New York.

18 S 4. This act shall take effect immediately.

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

This bill would grant Normajean Cesario Tier 1 status in the New York State and Local Employees' Retirement System by changing her date of membership to July 10, 1967. There will be no refund of member contributions.

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

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If this bill is enacted, we anticipate that there will be an increase of approximately \$2,200 in the annual contributions of the State of New York for the fiscal year ending March 31, 2010.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$106,000 which would be borne by the State of New York as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2010.

This estimate, dated January 30, 2009 and intended for use only during the 2009 Legislative Session, is Fiscal Note No. 2009-125, prepared by the Actuary for the New York State & Local Employees' Retirement System.