

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

5669--A

2009-2010 Regular Sessions

I N S E N A T E

May 27, 2009

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize James Freitag to apply for retroactive membership in the New York state teachers' retirement system

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

1 Section 1. Notwithstanding any provision of law to the contrary, James
2 Freitag, a member of the New York state teachers' retirement system
3 having Tier III status, who was employed as a provisional counselor by
4 the county of Cattaraugus from June 5, 1975 until September 12, 1976,
5 and who, for reasons not ascribable to his own negligence, failed to
6 become a member of the New York state and local employees' retirement
7 system during such employment by the county of Cattaraugus, shall be
8 deemed to have become a member of the New York state teachers' retire-
9 ment system having Tier II status on June 5, 1975 and shall receive
10 service credit in such retirement system for his employment by the coun-
11 ty of Cattaraugus, if, on or before December 31, 2010, he files a writ-
12 ten application therefor with the head of the New York state teachers'
13 retirement system.

14 S 2. All past service costs of implementing the provisions of this act
15 shall be borne by the county of Cattaraugus.

16 S 3. Notwithstanding any other provision of law, no employee contrib-
17 utions shall be returned to James Freitag.

18 S 4. This act shall take effect immediately.

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

 If this is enacted, there will be an immediate past service cost of approximately \$57,000 which would be paid by the county of Cattaraugus, New York State.

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

LBD11696-05-9

This estimate, dated February 25, 2009 is intended for use only during the 2009 Legislative Session, as prepared by the Actuary for the NYSTRS.

If Mr. Freitag is not granted the opportunity to join Tier II this year, the estimated cost to the county, should it be enacted next year, will go up significantly.