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

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2011-2012 Regular Sessions

I N  A S S E M B L Y

January 20, 2011

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

AN ACT to create the public pension system reform commission

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

Section 1. Public pension system reform commission. 1. A public pension system benefit reform commission shall be appointed, within ninety days from the effective date of this act, to evaluate and report on the creation of a new retirement plan for members who join a public retirement system on or after a prospective date to be determined by the commission. The commission shall evaluate and consider, but not be limited to the following: (i) the adoption of a hybrid-pension plan where one-half of a member's pension benefit would be derived from a defined benefit pension plan and the other one-half of a member's pension would be derived from a defined contribution pension plan; (ii) the advantages of switching from the current defined benefit pension plan to a type of hybrid or defined contribution pension plan for new members; (iii) taxpayer relief that could be achieved by adopting a new retirement plan; (iv) the short-term and long-term fiscal stability of the public pension funds and their ability to weather economic downturn; (v) the predictability, transparency and government cost-savings of defined contribution pension plans in comparison to defined benefit pension plans.

2. Such commission shall consist of nine members including: (i) the comptroller of the state of New York, or his or her designee, who shall act as chair of such commission; (ii) one member appointed by the governor of the state of New York; (iii) one member appointed by the temporary president of the senate; (iv) one member appointed by the speaker of the assembly; (v) one member appointed by the minority leader of the senate; (vi) one member appointed by the minority leader of the assembly; (vii) one member appointed by the mayor of the city of New York;

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

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(viii) one member appointed by the board of trustees of the New York state teachers' retirement system; and (ix) one member appointed by the board of trustees of the New York city employees' retirement system.

3. Such commission may employ and at pleasure remove such personnel, as it may deem necessary for the performance of its functions and fix their compensation within the amounts made available therefor.

4. The commission may meet within and without the state, shall hold public hearings, and shall have all the powers of a legislative committee pursuant to the legislative law.

5. The members of the commission shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties pursuant to this section.

6. To the maximum extent feasible, the commission shall be entitled to request and receive, and shall utilize and be provided with such facilities, resources and data of any court, department, division, board, bureau, commission or agency of the state or any political subdivision thereof as it may reasonably request to properly carry out its powers and duties pursuant to this section.

7. The commission shall make a report, within one year from the date of its establishment, to the governor, temporary president of the senate, speaker of the assembly, minority leader of the senate and minority leader of the assembly of its findings, conclusions and recommendations in relation to but not limited to: (i) the creation of a hybrid defined benefit/defined contribution pension plan (ii) cost savings for the state and local governments that could be achieved by the adoption of a new pension plan; and (iii) the ability of a new pension plan to lessen the burden of pension costs on taxpayers and provide a safety net against economic downturn. Such report shall be made available to the public and include such legislative proposals as shall be necessary to implement the commission's recommendations.

S 2. This act shall take effect immediately.