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

5095

2011-2012 Regular Sessions

I N S E N A T E

May 3, 2011

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

AN ACT to amend the retirement and social security law, in relation to military service credit for members who received certain expeditionary medals

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

Section 1. Paragraphs (c) and (d) of subdivision 2 of section 1000 of the retirement and social security law, as added by chapter 548 of the laws of 2000, are amended and a new paragraph (e) is added to read as follows:

(c) hostilities participated in by the military forces of the United States in Panama, from the twentieth day of December, nineteen hundred eighty-nine to the thirty-first day of January, nineteen hundred ninety, as established by receipt of the armed forces expeditionary medal, the navy expeditionary medal, or the marine corps expeditionary medal; [or]

(d) hostilities participated in by the military forces of the United States, from the second day of August, nineteen hundred ninety, to the end of such hostilities in case of a veteran who served in the theater of operations including Iraq, Kuwait, Saudi Arabia, Bahrain, Qatar, the United Arab Emirates, Oman, the Gulf of Aden, the Gulf of Oman, the Persian Gulf, the Red Sea, and the airspace above these locations[.]; OR

(E) IF SUCH MEMBER WAS A RECIPIENT OF THE ARMED FORCES EXPEDITIONARY MEDAL, NAVY EXPEDITIONARY MEDAL OR MARINE CORPS EXPEDITIONARY MEDAL, AND WAS DISCHARGED OR RELEASED THEREFROM UNDER HONORABLE CONDITIONS.

S 2. This act shall take effect immediately.

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

This bill would amend Chapter 548 of the Laws of 2000 to allow veterans who are members of public retirement systems and who have received an expeditionary medal to purchase additional service credit for up to a maximum of three years of military service. Affected members would be

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

LBD08238-02-1

required to pay three percent of their current annual compensation for each year of service being purchased.

This bill also applies to certain veterans who become members of a public retirement system after the effective date of this legislation and certain veterans who render miliary duty in future conflicts that could occur after the effective date of this legislation.

The number of current and future members who could be affected by this legislation cannot be readily determined.

If this bill is enacted, insofar as this proposal affects the New York State and Local Employees' Retirement System (ERS), it is estimated that the past service cost will average approximately 12% of an affected members' compensation for each year of additional service credit that is purchased.

Insofar as this proposal affects the New York State and Local Police and Fire Retirement System (PFRS), it is estimated that the past service cost will average approximately 17% of an affected members' compensation for each year of additional service that is purchased.

These costs would be shared by the State of New York and all participating employers in the New York State and Local Employees' Retirement System and the New York State and Local Police and Fire Retirement System.

This estimate, dated February 24, 2011 and intended for use only during the 2011 Legislative Session, is Fiscal Note No. 2011-107, prepared by the Actuary for the New York State and Local Employees' Retirement System and the New York State and Local Police and Fire Retirement System.