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

S. 6374 A. 9168

S E N A T E - A S S E M B L Y

February 1, 2012

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

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

AN ACT in relation to allowing Gustin L. Reichbach to obtain service credit for his service as a judge with the United Nations administration mission in Kosovo

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

Section 1. Notwithstanding any other provision of law to the contrary, Gustin L. Reichbach, currently serving as a justice of the supreme court, second judicial district, and an active tier 4 member of the New York state and local employees' retirement system, shall be eligible to receive additional service credit for any time not already credited in such system for the period from September 1, 2003 through February 27, 2004, during which period he rendered service as a judge with the United Nations administration mission in Kosovo. The additional service credit granted, when added to the service already credited, shall not exceed a total of one year of credit for all service rendered in the fiscal year ending March 31, 2004. Such additional credit shall be obtained only if on or before December 31, 2012, Gustin L. Reichbach files a written request for such service credit with the administrative head of the said retirement system. All costs necessary to finance the granting of this service credit shall be borne by the state of New York.

S 2. This act shall take effect immediately.

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

This bill would grant additional service credit to Gustin L. Reichbach, a justice of the supreme court, for service rendered as a judge with the United Nations War Crimes Tribunal in Kosovo from September 1, 2003 through February 27, 2004.

If this bill is enacted, there will be an immediate past service cost of approximately $13,500, which would be borne by the State of New York

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

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as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2013.

Summary of relevant resources:

Data: March 31, 2011 Actuarial Year End File with distributions of membership and other statistics displayed in the 2011 Report of the Actuary and 2011 Comprehensive Annual Financial Report.

Assumptions and Methods: 2010 and 2011 Annual Report to the Comptroller on Actuarial Assumptions, Codes Rules and Regulations of the State of New York: Audit and Control.

Market Assets and GASB Disclosures: March 31, 2011 New York State and Local Retirement System Financial Statements and Supplementary Information.

Valuations of Benefit Liabilities and Actuarial Assets: summarized in the 2011 Actuarial Valuations report.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This estimate, dated January 27, 2012, and intended for use only during the 2012 Legislative Session, is Fiscal Note No. 2012-77, prepared by the Actuary for the New York State and Local Employees' Retirement System.