

# STATE OF NEW YORK

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8925

## IN SENATE

March 28, 2024

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

AN ACT in relation to establishing a temporary commission to reform tier VI status in the New York state and local employees' retirement system; and providing for the repeal of such provisions upon the expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative findings. The legislature finds that the enact-  
2 ment of chapter 18 of the laws of 2012 has caused severe employment  
3 recruitment and retention shortages throughout the New York state and  
4 local public workforce. These shortages have caused massive reductions  
5 in the size of the public workforce, significant increases in overtime  
6 costs, and unacceptable delays to the citizens of the state.

7 Further, New York state and local governments also face a coming wave  
8 of retirements, with over one-quarter of the current workforce eligible  
9 to retire in the next five years. These retirements will further exacer-  
10 bate worker shortages and overtime costs to unsustainable levels.

11 It is incumbent on the state to proactively address these near-term  
12 workforce management challenges to maintain acceptable levels of govern-  
13 ment service delivery to all New York state residents.

14 § 2. Temporary state commission to reform tier VI status in the New  
15 York state and local employees' retirement system. 1. A temporary state  
16 commission is hereby created to reform and improve tier VI status in the  
17 New York state and local employees' retirement system.

18 2. The commission shall consist of nine members, to be appointed as  
19 follows: five shall be appointed by the governor; one shall be appointed  
20 by the temporary president of the senate; one shall be appointed by the  
21 minority leader of the senate; one shall be appointed by the speaker of  
22 the assembly; and one shall be appointed by the minority leader of the  
23 assembly.

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

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

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1 4. The commission may meet within and without the state, shall hold at  
2 least three public hearings, and shall have all the powers of a legisla-  
3 tive committee pursuant to the legislative law.

4 5. The members of the commission shall receive no compensation for  
5 their services, but shall be allowed their actual and necessary expenses  
6 incurred in the performance of their duties hereunder.

7 6. To the maximum extent feasible, the commission shall be entitled to  
8 request and receive and shall utilize and be provided with such facili-  
9 ties, resources, and data of any court, department, division, board,  
10 bureau, commission, or agency of the state or any political subdivision  
11 thereof as it may reasonably request to properly carry out its powers  
12 and duties hereunder.

13 7. No later than one year after the effective date of this act, the  
14 commission shall submit a final report to the governor, the temporary  
15 president of the senate, and the speaker of the assembly containing its  
16 findings, conclusions, and recommendations for reforming and improving  
17 tier VI status in the New York state and local employees' retirement  
18 system.

19 § 3. This act shall take effect immediately and shall expire and be  
20 deemed repealed 1 year after such date.