§ 317-d. Amortization of a portion of the bills for participating employers for the two thousand six--two thousand seven fiscal year. a. If the comptroller, in his or her discretion, decides to permit amortization of employer contributions pursuant to this section, then, on or about October fifteenth, two thousand five, on the basis of the annual actuarial valuation provided for in this chapter, the comptroller shall determine the amount (exclusive of payments for group term life insurance, deficiency payments, adjustments relating to prior fiscal years' obligations and obligations pertaining to retirement incentives or any other obligations that a participating employer is permitted to pay on an amortized basis) of the annual contribution for a participating employer pursuant to section twenty-three-a of this article due for the fiscal year ending March thirty-first, two thousand seven. The amount by which such contribution exceeds ten and one-half percent of the estimated pensionable salary base for the fiscal year ending March thirty-first, two thousand seven shall be the "amount eligible for amortization". An amount up to the "amount eligible for amortization" may be amortized over a ten-year period at eight percent interest per annum, with the first of ten equal payments payable on February first, two thousand eight, provided, however, that on or before September first, two thousand six, the comptroller, in his or her discretion, may establish a fixed rate of interest per annum to be applied to the amounts eligible for amortization of all employers, which more closely approximates a market rate of return on taxable fixed rate securities with similar terms issued by comparable issuers.

b. A participating employer, may, in lieu of paying its entire February first, two thousand seven bill, pay a lesser amount on February first, two thousand seven which shall be determined by the comptroller by adding the following three amounts together:

(1) the entire February first, two thousand seven bill, calculated pursuant to section twenty-three-a of this article (without reference to this section), less the "amount eligible for amortization" determined pursuant to subdivision a of this section;

(2) the first annual installment of the "amount eligible for amortization" determined pursuant to subdivision a of section three hundred seventeen-c of this article, if applicable; and

(3) the second annual installment of the "amount eligible for amortization" determined pursuant to subdivision a of section three hundred seventeen-b of this article, if applicable.

c. A participating employer making a payment pursuant to subdivision b of this section shall pay on February first, two thousand eight an amount determined by the comptroller by adding the following four amounts together:

(1) the entire February first, two thousand eight bill, calculated pursuant to section three hundred twenty-three-a of this article (without reference to this section);

(2) the first annual installment of the "amount eligible for amortization" determined pursuant to subdivision a of this section;

(3) the second annual installment of the "amount eligible for amortization" determined pursuant to subdivision a of section three hundred seventeen-c of this article, if applicable; and

(4) the third annual installment of the "amount eligible for amortization" determined pursuant to subdivision a of section three hundred seventeen-b of this article, if applicable.

d. Amortized payments determined pursuant to sections three hundred seventeen-b, three hundred seventeen-c and pursuant to this section shall be due and payable on February first of each year during the applicable amortization period. The comptroller shall have the authority to permit the pre-payment of the remaining balance of the "amount eligible for amortization" determined pursuant to both such sections subject to the following:

(1) on or before November fifteenth, two thousand six in addition to the amount due for the current year billing and for the payment of the amortized annual installment determined pursuant to section three hundred seventeen-b, three hundred seventeen-c and pursuant to this section, the comptroller shall advise the participating employer of the total amount due and be authorized to accept pre-payment in full of said amount by February first, two thousand seven.

(2) on or before each November fifteenth thereafter, in addition to the amount due for the current year billing and for the payment of the annual amortized installments, the comptroller shall advise the

participating employer of the total amount still outstanding and be authorized to accept the pre-payment of any balance remaining to be paid by February first of the succeeding year.