§ 44. Certain local pension system credit for compensation received for constitutional convention service. a. Notwithstanding anything to the contrary contained in this chapter or any other general or local law, charter or code, any person who while a delegate, officer or employee of the convention to revise and amend the constitution of the state in the year nineteen hundred sixty-seven was also a member of a local pension system shall be entitled to elect to have the total salary or wages paid to such delegate, officer or employee for such convention service cumulatively added to the salary or wages otherwise credited to such person for such calendar year in the local pension system for all purposes. Such election shall be made in writing to this retirement system and such local system on or before July first, nineteen hundred seventy.

b. Upon such election, the actuary of the state employee's retirement system shall determine the total value of all reserves to the credit of such member in the state employees' retirement system as a result of contributions made by the state and his contributions to the state employees' retirement system for such service, if any, and shall transfer the total amount thereof to the local pension system in the manner provided by section forty-three of the retirement and social security law.

c. After such deposit and transfer, the actuary of the local pension system shall determine the total amount which would have been required to be paid into the appropriate funds of the local pension system by both the member and the municipality had such service been rendered to the municipality. From such total amount there shall be deducted the total amount of contribution and reserves transferred as provided in subdivision b of this section. Any deficiency in the result so obtained shall be paid by the member into the appropriate account and funds in the local pension system.

d. Thereafter, and upon payment of any additional contributions that may be required by subdivision c of this section, such member shall be entitled to all the rights, privileges, immunities, benefits, refunds, increases, advances, insurance, pension, annuities, retirement

allowances, death benefits and options for such service under the local pension system in the same manner and to the same extent as if such service had been creditable under such local pension system. Such member who at the time of such service as a delegate was a member of both the state employees' retirement system and of a local pension system and who later transferred, pursuant to section forty-three of this chapter the total amount of his contributions and reserves from the state employees' retirement system to such local system, shall in computing his final average salary in such local system be entitled to credit for the year nineteen hundred and sixty-seven for his total compensation received from the state, from the convention and from his local employer. Provided, however, that service as such delegate, officer or employee shall not be used in computing the member's length of service for the purpose of determining the amount of his retirement allowance.

e. The provisions of this section shall be available only to those members of a local pension system whose eligibility for retirement is based upon attainment of a specified age, or thirty or more years of service.

f. The provision of this section shall be controlling, notwithstanding any provision of this chapter or any general, special, local law or city or village charter code, ordinance, resolution, rule or regulation to the contrary.