

**HOME RULE MESSAGE REQUESTING THE STATE OF
NEW YORK TO GRANT RETROACTIVE TIER I
MEMBERSHIP IN THE NEW YORK STATE AND LOCAL
EMPLOYEES' RETIREMENT SYSTEM TO MARIA WILLIAMS
(ASSEMBLY BILL A.7292, SENATE BILL S.3661)**

WHEREAS, Maria Williams, an employee of the County of Suffolk, was eligible to join the New York State and Local Employees' Retirement System on February 26, 1973, but, for reasons not attributable to her own negligence, did not become a member of the New York State and Local Employees' Retirement System until September 27, 1973, which gave her Tier II status as opposed to Tier I status she would have been granted if she had filed for membership on her initial date of eligibility; and

WHEREAS, she may be granted Tier I status retroactively commencing on February 26, 1973 if on or before December 31, 2009, she files with the State Comptroller a written request to that effect;

WHEREAS, such a grant of retroactive membership to allow Maria Williams to have Tier I status in the New York State and Local Employees' Retirement System will cost the County an estimated annual payment of approximately Five Hundred Twenty Dollars (\$520) for the fiscal year ending March 31, 2010, plus an estimated one-time payment for past services rendered of approximately Sixty Five Thousand Four Hundred Dollars (\$65,400) which would be borne by the County of Suffolk; now, therefore, be it

1st RESOLVED, that this Legislature hereby requests that the New York State Legislature enact Assembly Bill A.7292/Senate Bill S.3661, for the purpose of granting Tier I status to Maria Williams, an employee of the County of Suffolk, by deeming her date of membership in the New York State and Local Employees' Retirement System to be February 26, 1973, with the costs of such status to be borne by the County of Suffolk as long as Maria Williams files a written request to that effect on or before December 31, 2009 to the New York State Comptroller; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor David A. Paterson; to the Majority Leader of the New York State Senate Malcolm Smith; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: June 9, 2009



Thursday, June 4, 2009

Summary - A07292

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A07292 Summary:

BILL NO A07292
SAME AS Same as Uni. S 3661
SPONSOR Alessi
COSPNSR
MLTSPNSR

Grants retroactive tier I membership in the New York state and local employee's retirement system to Maria Williams.

A07292 Actions:

BILL NO A07292
03/27/2009 referred to governmental employees

A07292 Votes:

A07292 Memo:

BILL NUMBER:A7292

TITLE OF BILL: An act granting retroactive tier I membership in the New York state and local employees' retirement system to Maria Williams

PURPOSE OR GENERAL IDEA: grants retroactive tier I membership in the New York state and local employees' retirement system to Maria Williams

SUMMARY OF PROVISIONS:

Section 1- states that Maria Williams was employed by the county of Suffolk temporarily in August of 1972 and permanently in February of 1973, yet for reasons not ascribable to her own negligence was not entered into Tier I of the retirement system at that time.

Section 2- States any costs will be incurred by the county of Suffolk

Section 3- Contains the effective date

JUSTIFICATION: Maria Williams was temporarily employed but the County of Suffolk in August in 1973 and then permanently in February of 1973 at which time by no reasons of her own negligence was mistakenly placed into Tier II of the New York State and local retirement system. This legislation will retroactively place her into Tier I. She will not be granted a refund of any employee contribution made by her to the New York State and local retirement system.

LEGISLATIVE HISTORY: This is a new bill.

FISCAL IMPLICATIONS: See fiscal note

EFFECTIVE DATE: This act shall take effect immediately.

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Thursday, June 4, 2009

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

S. 3661

A. 7292

2009-2010 Regular Sessions

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

March 27, 2009

IN SENATE -- Introduced by Sen. LAVALLE -- 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. ALESSI -- read once and referred to the Committee on Governmental Employees

AN ACT granting retroactive tier I membership in the New York state and local employees' retirement system to Maria Williams

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

1 Section 1. Notwithstanding any other provision of law, Maria Williams,
2 a member of the New York state and local employees' retirement system,
3 who was employed temporarily commencing August 28, 1972, and permanently
4 on February 26, 1973, by the county of Suffolk, who, for reasons not
5 ascribable to her own negligence, did not file a membership application
6 in such system until September 27, 1973, which gave her Tier II status
7 instead of Tier I status, where she would have been had she been able to
8 file a membership application when she became a permanent employee on
9 February 26, 1973, may be deemed to have become a member of the New York
10 state and local employees' retirement system on February 26, 1973 if on
11 or before December 31, 2009 she shall file with the state comptroller a
12 written request to that effect. Upon the granting of such retroactive
13 membership, Maria Williams shall not be granted a refund of any employee
14 contribution made by her to the New York state and local employees'
15 retirement system.

16 S 2. Any costs incurred in implementing the provisions of this act
17 shall be borne by the county of Suffolk.

18 S 3. This act shall take effect immediately.

FISCAL NOTE.-- This bill would grant Maria Williams Tier 1 status in the New York State and Local Employees' Retirement System by changing her date of membership to February 26, 1973 when she was first perma-

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

S. 3661

2

LBD08154-03-9

A. 7292

nently employed by Suffolk County. There will be no refund of Ms. William's member contributions.

If this bill is enacted, we anticipate that there will be an increase of approximately \$520 in the annual contributions of Suffolk County for the fiscal year ending March 31, 2010.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$65,400 which would be borne by Suffolk County as a one time payment. This estimate is based on the assumption that payment will be made on February 1, 2010.

This estimate, dated March 16, 2009 and intended for use only during the 2009 Legislative Session is Fiscal Note No. 2009-1 80, prepared by the Actuary for the New York State & Local Employees' Retirement System.

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Thursday, June 4, 2009

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

S. 3661

A. 7292

2009-2010 Regular Sessions

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

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S. 3661

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LBD08154-03-9

A. 7292

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Intro. Res. HR 15 Res. No.

June 9, 2009

Motion:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Second:
 Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE					
2	Jay H. SCHNEIDERMAN					
3	Kate M. BROWNING					
4	Brian BEEDENBENDER					
6	Daniel P. LOSQUADRO					
7	Jack EDDINGTON					
9	Ricardo MONTANO					
10	Cameron ALDEN					
11	Thomas F. BARRAGA					
12	John M. KENNEDY, JR.					
13	Lynne C. NOWICK					
14	Wayne R. HORSLEY					
15	DuWayne GREGORY					
16	Steven H. STERN					
17	Lou D'AMARO					
18	Jon COOPER					
5	Vivian VILORIA-FISHER, D.P.O.					
8	William J. LINDSAY, P.O.	✓				
	Totals	17	1	1	1	1

MOTION

Approve

Table: _____

Send To Committee _____

Table Subject To Call _____

Lay On The Table _____

Discharge _____

Take Out of Order _____

Reconsider _____

Waive Rule _____

Override Veto _____

Close _____

Recess _____

APPROVED FAILED _____

No Motion _____ No Second _____

RESOLUTION DECLARED

ADOPTED

NOT ADOPTED

Tim Laube

 Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote