

CS VETO # 402 CHAPTER _____

LAWS OF 20 06

SENATE BILL 7749

ASSEMBLY BILL _____

STATE OF NEW YORK

7749

IN SENATE

April 25, 2006

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

AN ACT to amend the retirement and social security law, in relation to disability benefits for safety and security officers

A 11367-A - Abbate

DATE RECEIVED BY GOVERNOR:

SEP 01 2006

ACTION MUST BE TAKEN BY:

SEP 13 2006

DATE GOVERNOR'S ACTION TAKEN:

SEP 13 2006

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SENATE VOTE ___ Y ___ N

HOME RULE MESSAGE ___ Y ___ N

DATE _____

ASSEMBLY VOTE ___ Y ___ N

DATE _____

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STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

V E T O # 402

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

SEP 13 2006

Senate Bill Number 7749, entitled:

"AN ACT to amend the retirement and social security law, in relation to disability benefits for safety and security officers"

NOT APPROVED

This bill would amend the Retirement and Social Security Law to establish the presumption that a safety and security officer ("SSO") of the Office of Mental Health ("OMH") who contracts HIV, tuberculosis or hepatitis did so in the performance of duty. Such a presumption, if not rebutted by competent evidence, would entitle an SSO to a disability retirement of 75% of final average salary. The fiscal note attached to the bill indicates a one-time cost to the State of \$601,000 and an annual cost of an additional \$145,000. The bill would take effect immediately.

The sponsors and supporters contend that this bill is necessary to provide equity with security hospital treatment assistants ("SHTAs") employed by OMH, who are entitled to the benefit of the presumptions proposed in this bill. However, I am advised that the duties of a SHTA require daily interaction with, and direct supervision of, OMH clients, whereas SSOs chiefly provide perimeter security services at OMH facilities. Thus, SSOs do not face the same degree of daily exposure to communicable diseases that was the basis for making the presumption available to SHTAs. While it is true that SSOs do work with SHTAs from time to time in restraining unruly clients, such episodes should be documented under the reporting procedures of the facility so as to provide a basis for establishing a claim of disability. Thus, while I respect and appreciate the important services provided by SSOs at security hospitals and psychiatric centers operated by OMH, I am constrained to disapprove the bill based on the foregoing.

The bill is disapproved.

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THE SENATE
STATE OF NEW YORK

CHAIRMAN
COMMITTEE ON LOCAL
GOVERNMENT

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ALBANY, NEW YORK 12247
(518) 455-2811
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District Office:
21 Bay Street
Glens Falls, NY 12801
(518) 743-0968

Elizabeth O'C. Little
SENATOR, 45TH DISTRICT

September 7, 2006

Governor George E. Pataki
Executive Chamber
State Capitol
Albany, New York 12224

Dear Governor Pataki:

I am writing in support of Senate bill 7749 which is presently awaiting your consideration.

Senate bill 7749 amends the retirement and social security law, in relation to disability benefits for safety and security officers. Existing law currently provides a $\frac{3}{4}$ performance of duty disability benefit for certain employees who are disabled from the performance of their duties as a result of an injury inflicted by a person confined in an institution under the jurisdiction of the Office of Mental Health. Specifically, security hospital treatment assistants employed by OMH who are disabled from duty as the natural and proximate result of an act of a patient confined in an OMH institution are entitled to a $\frac{3}{4}$ percent disability benefit. SSOs employed at OMH forensic facilities work hand-in-hand with SHTAs and face the same risks and dangers on a daily basis. SSOs are the first responders to incidents involving violent and dangerous patients, placing themselves in harm's way in order to carry out their employment mission. This hazardous occupation can result in the physical incapacitation of an SSO employee who is simply carrying out his or her duties. However, unlike SHTAs who receive an enhanced disability benefit in the event a disabling injury occurs at the hands of a confined patient, SSOs are not afforded a similar benefit.

Your approval of this legislation is appreciated.

Sincerely,

Handwritten signature of Elizabeth O'C. Little.

Elizabeth O'C. Little
Senator

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**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S7749

SPONSOR: LITTLE

TITLE OF BILL:

An act to amend the retirement and social security law, in relation to disability benefits for safety and security officers

PURPOSE:

To provide a performance of duty disability benefit for certain safety and security officer ("SSO") members of the Security Services collective bargaining unit.

SUMMARY OF PROVISIONS:

Section 1 of the bill adds a new § 63-g to the Retirement and Social Security Law for purposes of establishing a performance of duty disability benefit for certain SSO members of the Security Services collective bargaining unit.

Section 2 of the bill amends § 507-b of the Retirement and Social Security Law to include within its provisions certain SSOs.

Section 3 of the bill adds a new § 607-1 of the Retirement and Social Security Law for purposes of establishing the benefit referenced herein.

Section 4 of the bill provides for an immediate effective date.

EXISTING LAW:

A 3/4 performance of duty disability benefit does not currently exist for SSOs.

JUSTIFICATION:

Existing law currently provides a 3/4 performance of duty disability benefit for certain employees who are disabled from the performance of their duties as a result of an injury inflicted by a person confined in an institution under the jurisdiction of the Office of Mental Health ("OMH"). Specifically, security hospital treatment assistants ("SHTAs") employed by OMH who are disabled from duty as the natural and proximate result of an act of a patient confined in an OMH institution are entitled to a 3/4 disability benefit.

SSOs employed at OMH forensic facilities work hand-in-hand with SHTAs and face the same risks and dangers on a daily basis. SSOs are the first responders to incidents involving violent and dangerous patients, placing themselves in harm's way in order to carry out their employment mission. This hazardous occupation can result in the physical incapacitation of an SSO employee who is simply carrying out his or her duties. However, unlike SHTAs who receive an enhanced disability benefit in the event a disabling injury occurs at the hands of a confined patient, SSOs are not afforded a similar benefit.

This legislation simply extends to Safety and Security Officers the same benefits currently afforded to similarly situated employees.

LEGISLATIVE HISTORY:

New bill.

FISCAL IMPLICATIONS:

See fiscal note.

EFFECTIVE DATE:

Immediately.

SENATE:
No. 7749

Introduced by:
Senator Little

ASSEMBLY:
No.

Law: Retirement and Social Security Law

Sections: 63-g (new), 507-b, 607-i (new)

Division of the Budget recommendation on the above bill:

Approve: _____ **Veto:** X **No Objection:** _____ **No Recommendation:** _____

1. Subject, Purpose and Summary of Provisions:

This bill would amend the Retirement and Social Security Law (RSSL) to provide certain safety and security officers who are members of the New York State and Local Employees' Retirement System a performance of duty disability pension benefit equal to 3/4 of final average salary. A safety and security officer, as defined by Section 89-t of RSSL, is any member who is in service as a safety officer under the jurisdiction of the Office of Mental Health (OMH) or the Office of Mental Retardation and Developmental Disabilities (OMRDD), an institutional safety officer, or a special policeman designated by the director of a State hospital. This performance of duty disability benefit would apply to safety and security officers who suffer physical or mental incapacitation during the performance or discharge of duty that was caused by, or was the "natural and proximate" resultant of, an act by a person committed to an institution under the OMH jurisdiction (i.e., a patient). This bill would also extend a "presumptive" disability benefit equal to 3/4 of final average salary to safety and security officers who contract HIV, hepatitis or tuberculosis, provided that there is a possibility of exposure due to an act of a patient.

This bill would take effect immediately.

3. Legislative History:

This is new legislation.

4. Arguments in Support:

The sponsor argues that safety and security officers employed at OMH forensic facilities work "hand-in-hand" with security hospital treatment assistants and are exposed to the same dangers. While security hospital treatment assistants receive an enhanced disability benefit, safety and security officers do not.

It should be noted however, that this bill would not, in fact, extend the same benefits to safety and security officers as are currently provided security hospital treatment assistants. In addition to a performance of duty benefit and a "presumptive" HIV, hepatitis, and tuberculosis benefit, security hospital treatment assistants are also provided a "presumptive" heart disease

benefit for heart-related death or injury.

5. Arguments in Opposition:

This bill would grant a "performance of duty" disability award which is the same percentage of final average salary compensation normally attributed to an "accidental" disability award. Under current law, members who claim disability are eligible to receive a "performance of duty" disability retirement benefit equal to 1/2 final average salary. Normally a more generous "accidental" disability benefit is harder to claim, as it necessitates that a specific workplace accident occur that results in the injury. This legislation would now apply a more liberal standard of eligibility for the same 3/4 of FAS benefit.

There is no evidence that this benefit is needed to protect or retain safety and security officers. Nor is it apparent that the duties of such officers are comparable to those of security hospital treatment assistants or that such officers are exposed to the same level of risk of injury or disease. The duty of a security hospital treatment assistant in a forensic hospital is to provide basic treatment, safety and security services for individuals diagnosed with mental illness that are considered dangerous to themselves or others; the security hospital treatment assistant works one-on-one with patients, constantly monitoring and providing safety through verbal and physical intervention and at times, the application of restraint. In contrast, the duty of a Safety and Security Officer 1 in a forensic hospital is to patrol and inspect buildings, handle safety and security issues and training, and generally prevent the endangerment of patients and individuals with disabilities, employees, visitors and property. The latter job description does not include one-on-one patient interaction or physical intervention and restraint, all of which may reasonably be associated with a heightened risk of injury caused by an act of a patient.

6. Other State Agencies Interested:

None known.

7. Other Interested Groups:

Council 82 is interested in this bill.

8. Budget Implications:

The Actuary for the New York State and Local Employees' Retirement system estimates that enactment of this bill would result in an immediate, one-time past service cost to the State of approximately \$601,000, and require an increased annual State contribution of approximately \$145,000.

9. Recommendation: Veto.

This bill would amend the Retirement and Social Security Law (RSSL) to provide certain safety and security officers a performance of duty disability pension benefit equal to 3/4 of final average salary when such officers suffer a physical or mental incapacitation which is deemed to be job-related. It would also establish a "presumptive" disability benefit for safety and security officers who contract HIV, Hepatitis or tuberculosis.

The generous benefit this bill would provide is reserved for positions such as Security Hospital Treatment Assistant or Corrections Officer where there is significant and quantifiable risk of physical or mental injury or disease in everyday performance of duty. There is no evidence that individuals serving as Safety and Security Officers are subject to such a level of risk from patient inflicted injury. Therefore, the Division of the Budget recommends that this bill be vetoed.



STATE OF NEW YORK
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

44 HOLLAND AVENUE
ALBANY, NEW YORK 12229-0001
(518) 473-1997 • TDD (518) 474-3694
www.omr.state.ny.us

July 19, 2006

Honorable Richard Platkin, Esq.
Counsel to the Governor
State Capitol Building
Executive Chamber
Albany, NY 12224

Re: S.7749 – authorizes enhanced disability retirement benefits for safety and security officers employed by the office of mental health

Dear Mr. Platkin:

The Office of Mental Retardation and Developmental Disabilities (“OMRDD”) has reviewed the above-referenced bill awaiting executive action.

Please be advised that OMRDD has no position on this bill which would provide enhanced disability retirement benefits for safety and security officers employed by the Office of Mental Health (“OMH”). However, OMRDD notes that while safety and security officers are also employed by OMRDD this bill, as written, does not extend the enhanced disability retirement benefits that such officers employed by OMH would receive under this bill. While the fiscal note accompanying the bill does reference safety and security officers employed by OMRDD, it is misleading, as the bill language only extends such benefits to OMH safety and security officers.

Thank you for the opportunity to review and comment on this bill.

Sincerely,

/s/

Cynthia E. McDonough
Associate Attorney

cc: Paul Kietzman



STATE OF NEW YORK
OFFICE OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES

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www.omr.state.ny.us

July 15, 2006

Honorable Richard Platkin, Esq.
Counsel to the Governor
State Capitol Building
Executive Chamber
Albany, NY 12224

Re: S.7749 – authorizes enhanced disability retirement benefits for safety and security officers employed by the office of mental health

Dear Mr. Platkin:

The Office of Mental Retardation and Developmental Disabilities (“OMRDD”) has reviewed the above-referenced bill awaiting executive action.

Please be advised that OMRDD has no position on this bill which would provide enhanced disability retirement benefits for safety and security officers employed by the Office of Mental Health (“OMH”). However, OMRDD notes that while safety and security officers are also employed by OMRDD this bill, as written, does not extend the enhanced disability retirement benefits that such officers employed by OMH would receive under this bill. While the fiscal note accompanying the bill does reference safety and security officers employed by OMRDD, it is misleading, as the bill language only extends such benefits to OMH safety and security officers.

Thank you for the opportunity to review and comment on this bill.

Sincerely,

/s/

Cynthia E. McDonough
Associate Attorney

cc: Paul Kietzman



OFFICE OF MENTAL HEALTH
COUNSEL

Sharon E. Carpinello, RN, Ph.D.
Commissioner

44 HOLLAND AVENUE
ALBANY, NEW YORK 12229
(518) 474-1331 • FAX (518) 473-7863 • TDD (518) 473-2714

JOHN V. TAURIELLO
Deputy Commissioner and Counsel

July 13, 2006

Honorable Richard Platkin
Counsel to the Governor
Executive Chamber
State Capitol Building
Albany, NY 12224

RE: S.7749

Dear Mr. Platkin:

The Office of Mental Health (OMH) has no position regarding the above referenced bill, which is before the Governor for Executive action. This legislation would amend the Retirement and Social Security Law with regard to disability benefits for Safety and Security Officers (SSO).

Section one of this bill would add a new section 63-g to the Retirement and Social Security Law (RSSL) which would establish a performance of duty disability retirement allowance for SSOs. Such allowance would be provided to SSOs who become physically or mentally incapacitated for performance of duties as the result of an act by a patient and would be the same benefit currently available to security hospital treatment assistants (SHTAs). Section two of the bill would amend RSSL section 507-b, to include SSOs as eligible for a performance of duty benefit. Section three of the bill would add a new RSSL section 607-1, to establish this benefit. While OMH takes no position on this bill, we note that the fiscal note for this bill indicates that there will be costs to the State as a result of enactment of this legislation. Further, as a general rule, additional benefits to State employees are usually negotiated by the State through the collective bargaining process, rather than established in legislation.

Thank you for the opportunity to comment on this legislation.

Sincerely,

A handwritten signature in black ink that reads "John V. Tauriello". The signature is written in a cursive style.

John V. Tauriello
Deputy Commissioner and Counsel

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5 4449

The Security Hospital Treatment Assistant SG-14
At Central New York Psychiatric Center
PO Box 300
Marcy New York 13403
(315)-765-3600

Governor Pataki we are writing this letter to urge you to sign into Law Senate Bill # S7749 / Assembly Bill # A.10884 , Granting Binding Arbitration to the Security Hospital Treatment Assistants SG-14

Binding Arbitration is currently provided to a portion of OUR UNION our Brothers and Sisters The New York State Correctional Officers (NYSCOPBA). As Security Hospital Treatment Assistants SG-14 we perform the same duties and handle the same inmates that Correctional Officers deal with. Although we do the same job we do agree there are some differences. We have enclosed an article, that outline the differences between the Correctional Officers and Security Hospital Treatment Assistants SG-14. This article has been sent to the local newspapers and the media.

Governor Pataki we invite you to our Facility at CNYPC so you can see first hand the differences outlined in the article. We feel that you will then agree that we should also be granted Binding Arbitration. If invite is excepted contact SHTA Chad Asch Or SHTA Scott Martin.

Thank you in Advance,

Security Hospital Treatment Assistants SG-14

“SEE YOU AT THE FAIR !!!! “

000013

**SAMPLE OF
CORRESPONDENCE
ONLY**

Dear Governor Pataki,

I am writing to urge you to sign into law S.7749 (Little)/ A.11367 (Abbate)for N.Y.S. **Safety and Security Officers** represented by the New York State Correction Officers P.B.A. NYSCOPBA.. This legislation would provide a performance of duty disability benefit for certain **Safety and Security Officers ("SSO")** members of the Security Services collective bargaining unit.

A 3/4 performance of duty disability benefit does not currently exist for **SSO's**. Existing law currently provides a 3/4 % performance of duty disability benefit for certain employees who are disabled in the performance of their duties as a result of an injury inflicted by a person confined in an institution under the jurisdiction of the Office of Mental Health ("OMH"). Specifically, security hospital treatment assistants ("SHTA's") employed by OMH who are disabled from duty as the natural and proximate result of an act of a patient confined in an OMH institution are entitled to a disability benefit. **SSO's** employed at OMH forensic facilities work hand-in-hand with SHTA's and face the same risks and dangers on a daily basis. **SSO's** are the first responders to incidents involving violent and dangerous patients, placing themselves in harm's way in order to carry out their employment mission. This hazardous occupation can result in the physical incapacitation of an **SSO** employee who is simply carrying out his or her duties. However, unlike SHTA's who receive an enhanced disability benefit in the event a disabling injury occurs at the hands of a confined patient, **SSO's** are not afforded a similar benefit. This legislation simply extends to **Safety and Security Officers** the same benefits currently afforded to similarly situated employees.

We hope you agree with the fairness that this legislation would offer and please demonstrate your support for S.7749 / A. 11367 by signing this very important legislation into law.

Thank you in advance,

Paul E. Sanders

000015

Dear Governor Pataki,

I am writing to urge you to sign into law S.7749 (Little)/ A.11367 (Abbate)for N.Y.S. **Safety and Security Officers** represented by the New York State Correction Officers P.B.A. NYSCOPBA.. This legislation would provide a performance of duty disability benefit for certain **Safety and Security Officers ("SSO")** members of the Security Services collective bargaining unit.

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Thank you in advance,

Jean Gardner

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000017

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000018

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Thank you in advance,

Jack Sanders

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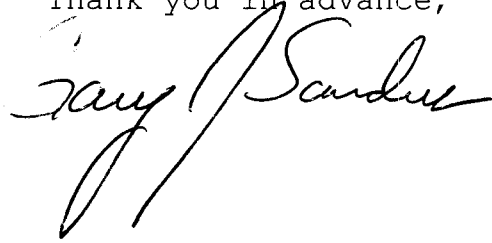
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Dear Governor Pataki,

I am writing to urge you to sign into law S.7749 (Little)/ A.11367 (Abbate) for N.Y.S. **Safety and Security Officers** represented by the New York State Correction Officers P.B.A. NYSCOPBA.. This legislation would provide a performance of duty disability benefit for certain **Safety and Security Officers** ("SSO") members of the Security Services collective bargaining unit.

A 3/4 performance of duty disability benefit does not currently exist for **SSO's**. Existing law currently provides a 3/4 % performance of duty disability benefit for certain employees who are disabled in the performance of their duties as a result of an injury inflicted by a person confined in an institution under the jurisdiction of the Office of Mental Health ("OMH"). Specifically, security hospital treatment assistants ("SHTA's") employed by OMH who are disabled from duty as the natural and proximate result of an act of a patient confined in an OMH institution are entitled to a disability benefit. **SSO's** employed at OMH forensic facilities work hand-in-hand with SHTA's and face the same risks and dangers on a daily basis. **SSO's** are the first responders to incidents involving violent and dangerous patients, placing themselves in harm's way in order to carry out their employment mission. This hazardous occupation can result in the physical incapacitation of an **SSO** employee who is simply carrying out his or her duties. However, unlike SHTA's who receive an enhanced disability benefit in the event a disabling injury occurs at the hands of a confined patient, **SSO's** are not afforded a similar benefit. This legislation simply extends to **Safety and Security Officers** the same benefits currently afforded to similarly situated employees.

We hope you agree with the fairness that this legislation would offer and please demonstrate your support for S.7749 / A. 11367 by signing this very important legislation into law.

Thank you in advance,



STATE OF NEW YORK

7749

IN SENATE

April 25, 2006

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

AN ACT to amend the retirement and social security law, in relation to disability benefits for safety and security officers

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

1 Section 1. The retirement and social security law is amended by adding
2 a new section 63-g to read as follows:

3 § 63-g. Performance of duty disability retirement. a. Any safety and
4 security officer who is a qualifying member pursuant to section eighty-
5 nine-t of this article, as added by chapter six hundred fifty-seven of
6 the laws of nineteen hundred ninety-eight, who becomes physically or
7 mentally incapacitated for the performance of duties as the natural and
8 proximate result of an injury, sustained in the performance or discharge
9 of his or her duties by, or as a natural and proximate result of, an act
10 of any person confined in an institution under the jurisdiction of the
11 office of mental health, or by any person who has been committed to such
12 institution by any court shall be paid a performance of duty disability
13 retirement allowance equal to that which is provided in section sixty-
14 three of this title, subject to the provisions of section sixty-four of
15 this title.

16 b. Notwithstanding any provision of this chapter or of any general or
17 special law to the contrary, a member covered by this section who
18 contracts HIV (where there may have been an exposure to a bodily fluid
19 of a person described in subdivision a of this section as a natural and
20 proximate result of an act of such person described in such subdivision
21 a that may have involved transmission of a specified transmissible
22 disease from the person described in such subdivision a to the retire-
23 ment system member), tuberculosis or hepatitis will be presumed to have
24 contracted such disease in the performance or discharge of his or her
25 duties, and will be presumed to be disabled from the performance of his
26 or her duties, unless the contrary be proved by competent evidence.

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

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1 § 2. Subdivision a of section 507-b of the retirement and social secu-
2 rity law, as added by chapter 722 of the laws of 1996, is amended to
3 read as follows:

4 a. Any member in the uniformed personnel in institutions under the
5 jurisdiction of the department of correctional services or a security
6 hospital treatment assistant, as those terms are defined in subdivision
7 i of section eighty-nine of this chapter, or a safety and security offi-
8 cer employed by the office of mental health, who becomes physically or
9 mentally incapacitated for the performance of duties as the natural and
10 proximate result of an injury, sustained in the performance or discharge
11 of his or her duties by, or as a natural and proximate result of, an act
12 of any inmate or any person confined in an institution under the juris-
13 diction of the department of correctional services or office of mental
14 health, or by any person who has been committed to such institution by
15 any court shall be paid a performance of duty disability retirement
16 allowance equal to that which is provided in section sixty-three of this
17 chapter, subject to the provisions of section sixty-four of this chap-
18 ter.

19 § 3. The retirement and social security law is amended by adding a new
20 section 607-i to read as follows:

21 § 607-i. Performance of duty disability retirement. a. Any safety and
22 security officer who is eligible to retire pursuant to the provisions of
23 section eighty-nine-t of this chapter, as added by chapter six hundred
24 fifty-seven of the laws of nineteen hundred ninety-eight, who becomes
25 physically or mentally incapacitated for the performance of duties as
26 the natural and proximate result of an injury, sustained in the perform-
27 ance or discharge of his or her duties by, or as a natural and proximate
28 result of, an act of any person confined in an institution under the
29 jurisdiction of the office of mental health, or by any person who has
30 been committed to such institution by any court shall be paid a perform-
31 ance of duty disability retirement allowance equal to that which is
32 provided in section sixty-three of this chapter, subject to the
33 provisions of section sixty-four of this chapter.

34 b. Notwithstanding any provision of this chapter or of any general or
35 special law to the contrary, a member covered by this section who
36 contracts HIV (where there may have been an exposure to a bodily fluid
37 of a person described in subdivision a of this section as a natural and
38 proximate result of an act of such person described in such subdivision
39 a that may have involved transmission of a specified transmissible
40 disease from the person described in such subdivision a to the retire-
41 ment system member), tuberculosis or hepatitis will be presumed to have
42 contracted such disease in the performance or discharge of his or her
43 duties, and will be presumed to be disabled from the performance of his
44 or her duties, unless the contrary be proved by competent evidence.

45 § 4. This act shall take effect immediately; provided that the amend-
46 ments to section 507-b and article 15 of the retirement and social secu-
47 rity law made by sections two and three of this act shall expire on the
48 same date as such provisions expire pursuant to section 615 of such law.

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

This bill will allow safety and security officers who are members of the New York State and Local Employees' Retirement System to be eligible for an In-Performance-Of-Duty disability benefit if they become disabled as a result of an injury inflicted by an inmate or any person confined in an institution under the jurisdiction of the New York State Department of Mental Health or the Office of Mental Retardation and Developmental Disabilities.

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If this bill is enacted, there will be an increase in the annual contributions of the State of New York of approximately \$145,000 for the fiscal year ending March 31, 2007.

In addition to the annual cost above, we estimate there will be an immediate past service cost of approximately \$601,000 which would be borne by the State of New York as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2007.

These estimated costs are based on seven hundred thirty (730) affected safety and security officers having a total annual salary for the fiscal year ending March 31, 2005 of approximately \$34.5 million.

This estimate, dated April 12, 2006 and intended for use only during the 2006 Legislative Session, is Fiscal Note No. 2006-269, prepared by the Actuary for the New York State and Local Employees' Retirement System.
