



# Retired Public Employees Association, Inc.

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Stanley Winter, President Michael B. Fitzgerald, Executive Director

June 30, 2011

Honorable Andrew M. Cuomo  
Governor of NYS  
Governor's Office  
Executive Chamber  
Albany, New York 12224

Attention: Honorable Mylan L. Denerstein  
Counsel to the Governor

Re: Senate 5460-A  
Ten Day Bill

Dear Governor Cuomo:

In response to your request for our analysis, comment and recommendation with respect to Senate 5460-A which shortly will be delivered to you for executive action, the Retired Public Employees Association (RPEA) recommends that you approve this bill at the earliest opportunity.

This bill would authorize the State Comptroller and the Commissioner of the State Department of Taxation and Finance to enter into a cooperative agreement which would give the State Comptroller access to the information in the Wage Reporting System. The purpose of authorizing this access would be to determine the amount a retired member of a retirement system or pension plan administered by the State or any of its political subdivisions who returns to public employment has earned and whether such earnings are in accord with provisions of law that limit the amount of such earnings in certain instances. This bill was introduced at the request of the State Comptroller to assist him in auditing such earnings.

RPEA represents almost 40,000 members and their spouses and is the only organization that represents solely the interests of retired public servants. It supports efforts by the State Comptroller to protect the integrity of the State's Pension Funds. Provisions relating to earnings limitations have been enacted to prevent "double dipping" and abuse of the pension system. It is the State Comptroller's fiduciary duty to enforce such earnings limits and this bill would facilitate such enforcement.

For the above reasons, RPEA recommends enactment of S.5460-A into law.

Respectfully submitted,

Stanley Winter  
President