



Legislation Text

File #: Res 0743-2015, **Version:** *

Res. No. 743

Resolution calling upon the New York State Legislature, and the Governor, to ensure that A.6722 and S.4611 are amended to apply only to elected officials

By Council Member Miller

Whereas, Legislation has been introduced in the New York State Legislature to address recent unethical conduct by some New York State elected officials; and

Whereas, The New York State legislation, A.6722 by Assembly Member David Buchwald and S.4611 by the Senate Budget Committee, would ensure that public officials who are convicted of a felony are subject to forfeiture of their state pension benefits, rights and privileges; and

Whereas, There is concern that the legislation as currently proposed is drafted to include employees of the City or State who are not elected officials; and

Whereas, Elected officials should be held to the highest ethical standards given that they are entrusted by the public through elections to carry out their duties to the letter of the law; and

Whereas, While the State Legislature and the Governor should do all they can to ensure that elected officials are punished for abusing public trust, the proposed legislation as drafted could inadvertently apply to a broader class of City and State employees as well as the spouse and families of elected and public officials; and

Whereas, Public pension benefits are earned and accrued over time in public service to the citizens of the state or municipalities of New York; and

Whereas, While the pending legislation would require elected officials to forfeit these benefits if convicted of a felony, their benefits, which were earned over time, should be allowed to support the family of said elected officials who commit a felony; and

Whereas, The current pending legislation should be amended to ensure only elected officials forfeit their pension benefits, rather than non-elected officials; and

Whereas, The legislation should also be amended to ensure that pension benefits are transferred to families of elected officials upon their conviction of a felony; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature, and the Governor, to ensure that A.6722 and S.4611 are amended to apply only to elected officials.

RM
LS 5248
June 4, 2015