

5348

2013-2014 Regular Sessions

I N   S E N A T E

May 16, 2013

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

AN ACT in relation to granting Jo Ann H. Mattingly Tier II status in the New York state and local employees' retirement system with a membership date of January 24, 1975

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

1     Section 1. Notwithstanding any other law to the contrary, Jo Ann H.  
2     Mattingly, who is currently a Tier IV member of the New York state and  
3     local employees' retirement system and currently employed by the Office  
4     of Court Administration of the Fourth Department, and who was appointed  
5     to a temporary, competitive civil service position from January 24, 1975  
6     through December 31, 1977, and who, for reasons not ascribable to her  
7     own negligence, failed to become a member of the New York state and  
8     local employees' retirement system in 1975 when first appointed to the  
9     temporary, competitive civil service position, shall be deemed to have  
10    been a member of such retirement system on the date she first commenced  
11    such employment on January 24, 1975 having Tier II status with every  
12    right, benefit and privilege which would have been available to her on  
13    such date.

14    S 2. All past service costs of implementing the provisions of this act  
15    shall be borne by the state of New York.

16    S 3. This act shall take effect immediately.

FISCAL NOTE.--This bill will grant Tier 2 status in the New York State and Local Employees' Retirement System to Jo Ann H. Mattingly, a current Tier 4 member, by changing her date of membership to January 24, 1975, the first date she was appointed to a temporary competitive civil service position. Ms Mattingly will receive a refund of all of her member contributions.

If this legislation is enacted during the 2013 legislative session, we anticipate that there will be an increase of approximately \$3,500 in the

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

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annual contributions of the State of New York for the fiscal year ending March 31, 2014.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$82,600 which will be borne by the State of New York as a onetime payment. This estimate is based on the assumption that payment will be made on March 1, 2014.

Summary of relevant resources:

Data: March 31, 2012 Actuarial Year End File with distributions of membership and other statistics displayed in the 2012 Report of the Actuary and 2012 Comprehensive Annual Financial Report.

Assumptions and Methods: 2010, 2011 and 2012 Annual Report to the Comptroller on Actuarial Assumptions, Codes Rules and Regulations of the State of New York: Audit and Control.

Market Assets and GASB Disclosures: March 31, 2012 New York State and Local Retirement System Financial Statements and Supplementary Information.

Valuations of Benefit Liabilities and Actuarial Assets: summarized in the 2012 Actuarial Valuations report.

I am a member of the American Academy of Actuaries and meet the Qualification Standards to render the actuarial opinion contained herein.

This estimate, dated January 8, 2013 and intended for use only during the 2013 Legislative Session, is Fiscal Note No. 2013-43, prepared by the Actuary for the New York State and Local Employees' Retirement System.