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

6943--A

2013-2014 Regular Sessions

I N A S S E M B L Y

April 25, 2013

Introduced by M. of A. ABBATE, FAHY, McDONALD -- read once and referred to the Committee on Governmental Employees -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the retirement and social security law, in relation to calculation of final average salary for certain members

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

Section 1. Subdivision b of section 902 of the retirement and social security law is amended by adding a new paragraph 4 to read as follows:

4. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ANY MEMBER WHO HAS RETIRED BETWEEN THE EFFECTIVE DATE OF THIS PARAGRAPH THROUGH MARCH THIRTY-FIRST, TWO THOUSAND SIXTEEN PURSUANT TO THE PROVISIONS OF THIS CHAPTER, FROM A POSITION OR POSITIONS IN THE COMPETITIVE, NON-COMPETITIVE, EXEMPT AND LABOR CLASSES OF THE CLASSIFIED SERVICE OF THE STATE OF NEW YORK DESIGNATED MANAGERIAL OR CONFIDENTIAL PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW OR A MEMBER OF A PUBLIC AUTHORITY UNDER THE CIVIL SERVICE JURISDICTION OF THE STATE DEPARTMENT OF CIVIL SERVICE, SHALL HAVE HIS OR HER RETIREMENT BENEFIT CALCULATED AS IF ALL SALARY INCREASES, PERFORMANCES ADVANCES, LONGEVITY PAYMENTS, OR MERIT PAYMENTS WERE RECEIVED IN ACCORDANCE WITH CHAPTER TEN OF THE LAWS OF TWO THOUSAND EIGHT AND CHAPTER FOUR HUNDRED NINETY-ONE OF THE LAWS OF TWO THOUSAND ELEVEN.

S 2. This act shall take effect immediately.

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

Re: Fiscal note #2013-93 (revised)

This bill will provide pension benefits to members of the retirement system designated managerial or confidential pursuant to article fourteen of the civil service law, or a member of a public authority under civil service jurisdiction of the state department of civil service, as if all salary increases, performance advances, longevity payments, or

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

LBD10242-02-3

merit payments were received in accordance with chapter 10 of the laws of 2008 and chapter 491 of the laws of 2011 for those who retire between the effective date of this bill and March 31, 2016.

If this bill is enacted, for those that retire between the effective date of this bill and March 31, 2016 there will be an immediate past service cost of up to 90% of each member's salary which will be borne by the State of New York. This one-time cost is dependent on each member's benefit improvement due to the salary increase provided by this legislation.

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.

This estimate, dated March 18, 2013 and intended for use only during the 2013 Legislative Session, is Fiscal Note No. 2013-93, prepared by the Actuary for the New York State and Local Employees' Retirement System.