

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

S. 6935

A. 9237

S E N A T E - A S S E M B L Y

April 2, 2014

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

IN ASSEMBLY -- Introduced by M. of A. McDONALD -- read once and referred to the Committee on Governmental Employees

AN ACT granting retroactive tier V membership in the New York state and local employees' retirement system to Kirsten Mason, Laura Strizzi, Christian Ward and Austin Horton

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

1 Section 1. Notwithstanding any other provision of law, Kirsten Mason,
2 a member of the New York state and local employees' retirement system,
3 who was employed on July 5, 2010, by the village of Green Island as a
4 recreation assistant, and who filed membership applications in such
5 system on July 7, 2010 which should have given her Tier V status but for
6 reasons not ascribable to her own negligence and due to an administra-
7 tive error, the application was not processed in the usual manner and
8 therefore not processed until August 16, 2012, may be deemed to have
9 become a member of the New York state and local employees' retirement
10 system on July 5, 2010, if on or before December 31, 2014 she shall file
11 an application therefor with the state comptroller. Upon the receipt of
12 such application, Kirsten Mason shall be granted Tier V status in the
13 New York state and local employees' retirement system and be eligible
14 for all the rights and benefits thereof. No contributions made to the
15 New York state and local employees' retirement system by Kirsten Mason
16 shall be returned to her pursuant to this act.

17 S 2. Notwithstanding any other provision of law, Laura Strizzi, a
18 member of the New York state and local employees' retirement system, who
19 was employed on July 5, 2010, by the village of Green Island as a recre-
20 ation assistant, and who filed membership applications in such system on
21 July 13, 2010 which should have given her Tier V status but for reasons
22 not ascribable to her own negligence and due to an administrative error,
23 the application was not processed in the usual manner and therefore not

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

LBD13411-02-4

1 processed until July 5, 2012, may be deemed to have become a member of
2 the New York state and local employees' retirement system on July 5,
3 2010, if on or before December 31, 2014 she shall file an application
4 therefor with the state comptroller. Upon the receipt of such applica-
5 tion, Laura Strizzi shall be granted Tier V status in the New York state
6 and local employees' retirement system and be eligible for all the
7 rights and benefits thereof. No contributions made to the New York state
8 and local employees' retirement system by Laura Strizzi shall be
9 returned to her pursuant to this act.

10 S 3. Notwithstanding any other provision of law, Christian Ward, a
11 member of the New York state and local employees' retirement system, who
12 was employed on July 5, 2010, by the village of Green Island as a recre-
13 ation assistant, and who filed membership applications in such system on
14 July 14, 2010 which should have given him Tier V status but for reasons
15 not ascribable to his own negligence and due to an administrative error,
16 the application was not processed in the usual manner and therefore not
17 processed until July 5, 2012, may be deemed to have become a member of
18 the New York state and local employees' retirement system on July 5,
19 2010, if on or before December 31, 2014 he shall file an application
20 therefor with the state comptroller. Upon the receipt of such applica-
21 tion, Christian Ward shall be granted Tier V status in the New York
22 state and local employees' retirement system and be eligible for all the
23 rights and benefits thereof. No contributions made to the New York state
24 and local employees' retirement system by Christian Ward shall be
25 returned to him pursuant to this act.

26 S 4. Notwithstanding any other provision of law, Austin Horton, a
27 member of the New York state and local employees' retirement system, who
28 was employed on July 5, 2011, by the village of Green Island as a recre-
29 ation assistant, and who filed membership applications in such system on
30 July 5, 2011 which should have given him Tier V status but for reasons
31 not ascribable to his own negligence and due to an administrative error,
32 the application was not processed in the usual manner and therefore not
33 processed until July 19, 2012, may be deemed to have become a member of
34 the New York state and local employees' retirement system on July 5,
35 2011, if on or before December 31, 2014 he shall file an application
36 therefor with the state comptroller. Upon the receipt of such applica-
37 tion, Austin Horton shall be granted Tier V status in the New York state
38 and local employees' retirement system and be eligible for all the
39 rights and benefits thereof. No contributions made to the New York state
40 and local employees' retirement system by Austin Horton shall be
41 returned to him pursuant to this act.

42 S 5. Any past service costs incurred in implementing the provisions of
43 this act shall be borne by the village of Green Island.

44 S 6. This act shall take effect immediately.

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

This bill will allow four employees of the Village of Green Island -
Kirsten Mason, Laura Strizzi, Christian Ward and Austin Horton - to
receive retroactive dates of membership in the New York State and Local
Employees' Retirement System, thereby changing their plan coverage from
Tier 6 to Tier 5.

If this bill is enacted, we anticipate that there will be an increase
of approximately \$130 in the annual contributions of the Village of
Green Island for the fiscal year ending March 31, 2015. In future years,
this cost will vary as the billing rates and salaries of the four
affected members change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$320 which would be borne by the Village of Green Island as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2015.

Summary of relevant resources:

The membership data used in measuring the impact of the proposed change was the same as that used in the March 31, 2013 actuarial valuation. Distributions and other statistics can be found in the 2013 Report of the Actuary and the 2013 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2010, 2011, 2012 and 2013 Annual Report to the Comptroller on Actuarial Assumptions, and the Codes Rules and Regulations of the State of New York: Audit and Control.

The Market Assets and GASB Disclosures are found in the March 31, 2013 New York State and Local Retirement System Financial Statements and Supplementary Information.

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 14, 2014 and intended for use only during the 2014 Legislative Session, is Fiscal Note No. 2014-53, prepared by the Actuary for the New York State and Local Employees' Retirement System.