

3721--A

2013-2014 Regular Sessions

I N S E N A T E

February 12, 2013

Introduced by Sens. MAZIARZ, KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions -- recommitted to the Committee on Civil Service and Pensions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to service credit of certain members of the New York state and local employees' retirement system who obtained credit for service with the Niagara Frontier Transit Metro System, Inc.

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

1 Section 1. Notwithstanding the provisions of chapter 670 of the laws
2 of 1996 or any other provision of law to the contrary, any member or
3 retiree of the New York state and local employees' retirement system who
4 obtained credit for service after March 31, 1974 with the Niagara Frontier Transit Metro System, Inc., and who retains a non-forfeitable benefit for such service under the Amalgamated Transit Union Local 1342 --
5 Niagara Frontier Transit Metro System Pension Fund shall remain eligible
6 for such service with the New York state and local employees' retirement
7 system; provided, however, that any retirement or death benefit payable
8 or paid by such retirement system shall be reduced by the amount of the
9 non-forfeitable benefit payable or paid for such service under the Amalgamated Transit Union Local 1342 -- Niagara Frontier Transit Metro
10 System Pension Fund. For any person currently receiving a retirement
11 allowance, such reduction shall be retroactive to the effective date of
12 retirement.

13 S 2. This act shall take effect immediately and the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are hereby authorized.

14 FISCAL NOTE.-- Pursuant to Legislate Law, Section 50:

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

17 LBD07702-05-4

This bill would reduce the retirement or death benefit payable or paid by the New York State and Local Employees' Retirement System (NYSLERS) to any member or retiree who obtained credit for service after March 31, 1974 with the Niagara Frontier Transit Metro System who retains a non-forfeitable benefit with the Niagara Metro Pension Fund for such service. The reduction in the benefit from NYSLERS will be based on the amount of the non-forfeitable benefit payable or paid for such service, for which the affected individuals will receive benefits from both retirement plans. For current retirees, such reduction will be retroactive to the date of retirement.

If this bill is enacted, there will be no cost to the State or participating employers in the NYSLERS.

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

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.

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. 2014-56, prepared by the Actuary for the New York State and Local Employees' Retirement System.