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

S. 5565--A A. 7459--A

2013-2014 Regular Sessions

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

May 21, 2013

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. 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 granting retroactive tier IV membership in the New York state and local employees' retirement system to Jill Alix, Chris Karwiel, Jessica Strizzi and Taryn Ward

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

Section 1. Notwithstanding any other provision of law, Jill Alix, a member of the New York state and local employees' retirement system, who was employed on June 20, 2008, by the village of Green Island as a recreation director, and who filed membership applications in such system on June 20, 2008 which should have given her Tier IV status but for reasons not ascribable to her own negligence and due to an administrative error, the application was not processed in the usual manner and therefore not processed until December 17, 2012, may be deemed to have become a member of the New York state and local employees' retirement system on June 20, 2008, if on or before December 31, 2013 she shall file an application therefor with the state comptroller. Upon the receipt of such application, Jill Alix shall be granted Tier IV status in the New York state and local employees' retirement system and be eligible for all the rights and benefits thereof. No contributions made to the New York state and local employees' retirement system by Jill Alix shall be returned to her pursuant to this act.

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

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S 2. Notwithstanding any other provision of law, Chris Karwiel, a member of the New York state and local employees' retirement system, who was employed on July 19, 2002, by the village of Green Island as a recreation assistant and office assistant, and who filed membership applications in such system on September 13, 2011 which should have given her Tier IV status but for reasons not ascribable to her own negligence and due to an administrative error, the application was not processed in the usual manner and therefore not processed until September 13, 2011, may be deemed to have become a member of the New York state and local employees' retirement system on July 19, 2002, if on or before December 31, 2013 she shall file an application therefor with the state comptroller. Upon the receipt of such application, Chris Karwiel shall be granted Tier IV status in the New York state and local employees' retirement system and be eligible for all the rights and benefits thereof. No contributions made to the New York state and local employees' retirement system by Chris Karwiel shall be returned to her pursuant to this act.

S 3. Notwithstanding any other provision of law, Jessica Strizzi, a member of the New York state and local employees' retirement system, who was employed on June 28, 2007, by the village of Green Island as a recreation assistant, and who filed membership applications in such system on June 28, 2007 which should have given her Tier IV status but for reasons not ascribable to her own negligence and due to an administrative error, the application was not processed in the usual manner and therefore not processed until July 9, 2012, may be deemed to have become a member of the New York state and local employees' retirement system on June 28, 2007, if on or before December 31, 2013 she shall file an application therefor with the state comptroller. Upon the receipt of such application, Jessica Strizzi shall be granted Tier IV status in the New York state and local employees' retirement system and be eligible for all the rights and benefits thereof. No contributions made to the New York state and local employees' retirement system by Jessica Strizzi shall be returned to her pursuant to this act.

S 4. Notwithstanding any other provision of law, Taryn Ward, a member of the New York state and local employees' retirement system, who was employed on May 27, 2008, by the village of Green Island as an office assistant and member of the park staff, and who filed membership applications in such system on July 19, 2012 which should have given her Tier IV status but for reasons not ascribable to her own negligence and due to an administrative error, the application was not processed in the usual manner and therefore not processed until July 19, 2012, may be deemed to have become a member of the New York state and local employees' retirement system on May 27, 2008, if on or before December 31, 2013 she shall file an application therefor with the state comptroller. Upon the receipt of such application, Taryn Ward shall be granted Tier IV status in the New York state and local employees' retirement system and be eligible for all the rights and benefits thereof. No contributions made to the New York state and local employees' retirement system by Taryn Ward shall be returned to her pursuant to this act.

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

S 6. This act shall take effect immediately.

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

This bill will deem Jill Alix, Chris Karwiel, Jessica Strizzi, and Taryn Ward, employees of the Village of Green Island, to become Tier 4 members of the New York State and Local Employees' Retirement System by

changing their dates of membership in the System to be the dates they first were employed by the Village of Green Island.

If this bill is enacted, we anticipate that there will be an increase in the annual contributions of the Village of Green Island of 4.1% of the annual salary of Chris Karwiel (currently a tier 5 member) and 9.5% of the salaries of Jill Alix, Jessica Strizzi, and Taryn Ward (currently tier 6 members) 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 $2,000 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, 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 May 14, 2013 and intended for use only during the 2013 Legislative Session, is Fiscal Note No. 2013-137, prepared by the Actuary for the New York State and Local Employees' Retirement System.