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

5767

2013-2014 Regular Sessions

I N S E N A T E

June 13, 2013

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

AN ACT in relation to authorizing former employees of the State University of New York NY Network to retain membership in the optional retirement program

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

Section 1. Legislative intent. It is the intent of the legislature to allow former employees of the State University of New York NY Network who were transferred to positions within the New York state office of general services to elect to be reinstated as members of the State University of New York optional retirement program.

S 2. Short title. An act authorizing former employees of the State University of New York NY Network to retain membership in the optional retirement program.

S 3. Definitions. (a) "Employee" shall mean a former employee of the State University of New York NY Network; (b) "optional retirement program" shall mean the State University of New York optional retirement program.

S 4. General provisions. Notwithstanding any other provision of law, employees who were members of the optional retirement program during their employment at the NY Network and who are now in the employ of the state of New York office of general services and became members of the New York state employees' retirement system may elect to be reinstated to the optional retirement program and terminate their membership in the New York state employees' retirement system.

S 5. Notice of election. Such reinstatement to the optional retirement program from the New York state employees' retirement system must be notarized and submitted in writing to the office of general services within ninety days after the enactment of this special act, such reinstatement shall be irrevocable and will terminate the electors' member-

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

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ship in the New York state employees' retirement system. The office of general services shall provide written notice of this election to the New York state employees' retirement system no less than thirty days after the notice was received.

S 6. Payment of employer contribution rate. The state of New York shall make the required employer contributions for such employees who elect to reinstate their membership in the optional retirement program pursuant to this special act and the state university of New York shall administer such employee's membership in the optional retirement program. The New York state employees' retirement system shall be authorized to reimburse the state of New York for any employer contribution made on behalf of any employee electing to be reinstated into the optional retirement plan.

S 7. This act shall take effect thirty days after it shall become law.

FISCAL NOTE: Pursuant to Legislative law, Section 50:

This bill will allow former employees of the NY Network of the state university of New York to who are currently employees of the Office of General Services to elect to leave their current membership in the New York State and Local Employees Retirement System (ERS) and be reinstated as members in the Optional Retirement Program (ORP). The ERS shall be authorized to reimburse the State of New York for any employer contribution made on behalf of any employee electing to be reinstated into the optional retirement plan.

If this bill is enacted, there would not be a cost to ERS.

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 16, 2013, and intended for use only during the 2013 Legislative Session, is Fiscal Note No. 2013-153, prepared by the Actuary for the New York State and Local Employees' Retirement System.