

S. 4754

A. 6938

2015-2016 Regular Sessions

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

April 15, 2015

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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 IV membership in the New York state and local employees' retirement system to Jill Alix and Chris Karwiel

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, Jill Alix, a  
2 member of the New York state and local employees' retirement system, who  
3 was employed on June 20, 2008, by the village of Green Island as a  
4 recreation director, and who filed membership applications in such  
5 system on June 20, 2008 which should have given her Tier IV status but  
6 for reasons not ascribable to her own negligence and due to an adminis-  
7 trative error, the application was not processed in the usual manner and  
8 therefore not processed until December 17, 2012, may be deemed to have  
9 become a member of the New York state and local employees' retirement  
10 system on June 20, 2008, if on or before December 31, 2015 she shall  
11 file an application therefor with the state comptroller. Upon the  
12 receipt of such application, Jill Alix shall be granted Tier IV status  
13 in the New York state and local employees' retirement system and be  
14 eligible for all the rights and benefits thereof. No contributions made  
15 to the New York state and local employees' retirement system by Jill  
16 Alix shall be returned to her pursuant to this act.

17     S 2. Notwithstanding any other provision of law, Chris Karwiel, a  
18 member of the New York state and local employees' retirement system, who  
19 was employed on July 19, 2002, by the village of Green Island as a  
20 recreation assistant and office assistant, and who filed membership  
21 applications in such system on July 19, 2002 which should have given him

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

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1 Tier IV status but for reasons not ascribable to his own negligence and  
2 due to an administrative error, the application was not processed in the  
3 usual manner and therefore not processed until September 13, 2011, may  
4 be deemed to have become a member of the New York state and local  
5 employees' retirement system on July 19, 2002, if on or before December  
6 31, 2015 he shall file an application therefor with the state comp-  
7 troller. Upon the receipt of such application, Chris Karwiel shall be  
8 granted Tier IV status in the New York state and local employees'  
9 retirement system and be eligible for all the rights and benefits there-  
10 of. No contributions made to the New York state and local employees'  
11 retirement system by Chris Karwiel shall be returned to him pursuant to  
12 this act.

13 S 3. Any past service costs incurred in implementing the provisions of  
14 this act shall be borne by the village of Green Island.

15 S 4. This act shall take effect immediately.

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

This bill will allow Jill Alix and Chris Karwiel, employees of the Village of Green Island, to receive retroactive dates of membership in the New York State and local Employees' Retirement System, thereby making them Tier 4 members.

If this bill is enacted and both members become covered under the provisions of Tier 4, we anticipate that there will be an increase of approximately \$3,400 in the annual contributions of the Village of Green Island for the fiscal year ending March 31, 2016. In future years, this cost will vary as the billing rates and salaries of the affected members change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$19,900 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, 2016.

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, 2014 actuarial valuation. Distributions and other statistics can be found in the 2014 Report of the Actuary and the 2014 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2010, 2011, 2012, 2013 and 2014 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, 2014 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 March 27, 2015, and intended for use only during the 2015 Legislative Session, is Fiscal Note No. 2015-92, prepared by the Actuary for the New York State and Local Employees' Retirement System.