STATE OF NEW YORK

5869

2017-2018 Regular Sessions

IN SENATE

May 4, 2017

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

AN ACT granting retroactive tier IV membership in the New York state and local employees' retirement system to Donald R. Linde

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 to the contrary, Donald R. Linde, a member of the New York state and local employees' retirement system who is currently employed by the Department of Taxation and Finance, who on September 3, 2009 commenced part time employment with the State University of New York at Buffalo, and who became a member of such retirement system on February 11, 2010, and who, for reasons not ascribable to his own negligence, failed to become a member of the New York state and local employees' retirement system on September 3, 2009, shall be deemed to have joined such retirement system on September 3, 2009, the commencement of his employment with the State University of New York at Buffalo, if within one year of the effective date of this act he shall file an application therefor with the state comptroller. Upon receipt of such application, Donald R. Linde shall be deemed to have joined the New York state and local employees' retirement system during 2009.

§ 2. All past service costs of implementing the provisions of this act shall be borne by the State University of New York at Buffalo, and there shall be no refund of member contributions to Donald R. Linde.

§ 3. This act shall take effect immediately.

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

This bill will grant Tier 4 status in the New York State and Local Employees' Retirement System to Donald R. Linde, a current Tier 5 member employed by the NYS Department of Tax and Finance, by changing his date of membership to September 3, 2009, his first date of employment with

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

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the State University of New York at Buffalo. There will be no refund of member contributions.

If this legislation is enacted during the 2017 legislative session, we anticipate that there will be an increase of approximately $1,500 in the annual contributions of the State of New York for the fiscal year ending March 31, 2018. In future years, this cost will vary as the billing rates and salary of Donald R. Linde change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $12,300 which would be borne by the State University of New York at Buffalo as a one-time payment. This estimate is based on the assumption that payment will be made on March 1, 2018.

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, 2016 actuarial valuation. Distributions and other statistics can be found in the 2016 Report of the Actuary and the 2016 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2015 and 2016 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, 2016 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 April 25, 2017, and intended for use only during the 2017 Legislative Session, is Fiscal Note No. 2017-84, prepared by the Actuary for the New York State and Local Retirement System.