

# STATE OF NEW YORK

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6644

2017-2018 Regular Sessions

## IN SENATE

June 9, 2017

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Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to authorize William L. Herman Tier II status in the New York state and local employees' retirement system

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Notwithstanding any other provisions of law, William L.  
2 Herman, a member of the New York state and local employees' retirement  
3 system employed on July 22, 1976 by the office of the New York state  
4 comptroller, who was employed by the New York state office of parks,  
5 recreation and historic preservation and who, for reasons not ascribable  
6 to his own negligence, failed to become a member of the New York state  
7 and local employees' retirement system while so employed by the New York  
8 state office of parks, recreation and historic preservation, shall be  
9 deemed to have joined the New York state and local employees' retirement  
10 system on July 22, 1976, if on or before December 31, 2017 he shall file  
11 an application therefor with the state comptroller. Upon the receipt of  
12 such application, William L. Herman shall be granted Tier II status in  
13 the New York state and local employees' retirement system and be eligi-  
14 ble for all the rights and benefits thereof.

15 § 2. No contributions made to the New York state and local employees'  
16 retirement system by William L. Herman shall be returned or refunded to  
17 him pursuant to this act.

18 § 3. All past costs of implementing the provisions of this act shall  
19 be borne by the state of New York.

20 § 4. This act shall take effect immediately.

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

This bill will grant Tier 2 status in the New York State and Local Employee's Retirement System to William L. Herman, a current Tier 3 member employed by the office of the New York state comptroller, by changing his date of membership to July 22, 1976, his first date of

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

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employment with the New York State office of parks, recreation and historic preservation. 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 \$5,000 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 William L. Herman change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$78,100 which will be borne by the State of New York 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 May 11, 2017, and intended for use only during the 2017 Legislative Session, is Fiscal Note No. 2017-96, prepared by the Actuary for the New York State and Local Retirement System.