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

11575

I N A S S E M B L Y

June 28, 2010

Introduced by COMMITTEE ON RULES -- (at request of M. of A. John) -- read once and referred to the Committee on Governmental Employees

AN ACT to authorize the city of Rochester, in the county of Monroe, to offer a certain retirement plan to certain police officers

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, the city of Rochester, in the county of Monroe, a participating employer in the New York state and local police and fire retirement system, which previously elected to offer the optional twenty-year retirement plan, established pursuant to section 384-d of the retirement and social security law, to police officers employed by such city, is hereby authorized to make participation in such plan available to David Blaho, Kevin Powers, Lourdes Baez, Carol McDermott, MaryEllen Monahan-Kenny, and Liza Dann, police officers employed by the city of Rochester, who, for reasons not ascribable to their own negligence, failed to make a timely application to participate in such optional twenty-year retirement plan. The city of Rochester may so elect by filing with the comptroller, on or before December 31, 2010, a resolution of its city council together with certification that such police officers did not bar themselves from participation in such retirement plan as a result of their own negligence. Thereafter, such police officers may elect to be covered by the provisions of section 384-d of the retirement and social security law, and shall be entitled to the full rights and benefits associated with coverage under such section, including eligibility for participation in the plan established pursuant to section 384-e of the retirement and social security law, by filing a request to that effect with the state comptroller on or before June 30, 2011.

S 2. All employer costs associated with implementing the provisions of this act shall be borne by the city of Rochester, with interest, over a ten-year period.

S 3. This act shall take effect immediately.

FISCAL NOTE.--This bill will allow the City of Rochester to elect to reopen the provisions of Section 384-d together with Section 384-e of

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

the Retirement and Social Security Law for 6 police officers in its employ. There are other police officers similarly situated who could benefit from this proposal, but they are not included in this bill.

If this bill is enacted, and the affected officers become covered under Section 384-d together with Section 384-e, we anticipate that there will be an increase of approximately $22,500 in the annual contributions of the City of Rochester for the fiscal year ending March 31, 2011.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $1.04 million which would be borne by the City of Rociiester. If this cost is amortized over a period of ten (10) years, the cost for the first year including interest, would be approximately $144,000. This estimate is based on the assumption that the first year's payment will be made on February 1, 2011.

These estimated costs are based on the 6 named police officers in the legislation having a total estimated salary for the fiscal year ending March 31, 2010 of approximately $460,000.

This estimate, dated June 30, 2010 and intended for use only during the 2010 Legislative Session, is Fiscal Note No. 2010-182 prepared by the Actuary for the New York State and Local Police and Fire Retirement System.