

6915

I N S E N A T E

March 31, 2014

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

AN ACT to authorize the town of Marlborough, in the county of Ulster, to offer an optional twenty year retirement plan to police officers Charles Hoffman and Arthur Terwilliger

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 to the contrary,  
2 the town of Marlborough, in the county of Ulster, a participating  
3 employer in the New York state and local police and fire retirement  
4 system, which previously elected to offer the optional twenty year  
5 retirement plan, established pursuant to section 384-d of the retirement  
6 and social security law, to police officers employed by such town, is  
7 hereby authorized to make participation in such plan available to  
8 Charles Hoffman and Arthur S. Terwilliger, police officers employed by  
9 the town of Marlborough, who, for reasons not ascribable to their own  
10 negligence failed to make a timely application to participate in such  
11 optional twenty year retirement plan. The town of Marlborough may so  
12 elect by filing with the state comptroller, on or before December 31,  
13 2014, a resolution of the town board together with certification that  
14 such police officers did not bar themselves from participation in such  
15 retirement plan as a result of their own negligence. Thereafter, such  
16 police officers may elect to be covered by the provisions of section  
17 384-d of the retirement and social security law, and shall be entitled  
18 to the full rights and benefits associated with coverage under such  
19 section while so employed, by filing a request to that effect with the  
20 state comptroller on or before June 30, 2015.

21 S 2. All past service costs associated with implementing the  
22 provisions of this act shall be borne by the town of Marlborough.

23 S 3. This act shall take effect immediately.

FISCAL NOTE.-- This bill would allow the Town of Marlborough to elect to reopen the provisions of Section 384-d of the Retirement and Social Security Law for police officers Charles Hoffman and Arthur S. Terwilliger.

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

LBD04250-05-4

If this bill is enacted and police officers Charles Hoffman and Arthur S. Terwilliger become covered under Section 384-d, we anticipate that there will be an increase of approximately \$5,300 in the annual contributions of the Town of Marlborough for the fiscal year ending March 31, 2015. In future years, this cost will vary as the billing rates and salaries of these officers change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately \$79,800 which would be borne by the Town of Marlborough. This estimate is based on the assumption that payment will be made on February 1, 2015.

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, 2013 actuarial valuation. Distributions and other statistics can be found in the 2013 Report of the Actuary and the 2013 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2010, 2011, 2012 and 2013 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, 2013 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 February 27, 2014 and intended for use only during the 2014 Legislative Session, is Fiscal Note No. 2014-89, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.