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

7646

I N S E N A T E

May 23, 2014

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

AN ACT to authorize the DeWitt fire district, in the town of DeWitt, county of Onondaga, to offer the optional twenty year retirement plan to firefighters Gavin J. MacLachlin and Michael E. O'Connor

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 DeWitt fire district, in the town of DeWitt, county of Onondaga, 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 firefighters employed by such fire district, is hereby authorized to make participation in such plan available to firefighters Gavin J. MacLachlin and Michael E. O'Connor, firefighters employed by the DeWitt fire district, who, for reasons not ascribable to their own negligence, failed to make timely applications to participate in such optional twenty year retirement plan. The DeWitt fire district may so elect by filing with the state comptroller, on or before December 31, 2014, a resolution of its board of fire commissioners, together with certification that such firefighters did not bar themselves from participation in such retirement plan as a result of their own negligence. Thereafter, such firefighters 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, by filing a request to that effect with the state comptroller on or before June 30, 2015.

S 2. All past costs associated with implementing the provisions of this act shall be borne by the DeWitt fire district.

S 3. This act shall take effect immediately.

FISCAL NOTE.--This bill will allow the DeWitt Fire District to reopen the provisions of Section 384-d of the Retirement and Social Security Law for firefighters Gaven J. MacLachlan and Michael E. O'Connor.

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

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If this legislation is enacted during the 2014 legislative session, and both firefighters become covered by the provisions of Section 384-d of the Retirement and Social Security Law, we anticipate that there will be an increase of approximately $9,600 in the annual contributions of the DeWitt Fire District for the fiscal year ending March 31, 2015. In future years, this cost will vary as the billing rates and salaries of Gavin J. MacLachlan and Michael E. O'Connor change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $24,800, which will be borne by the DeWitt Fire District as a one-time payment, assuming a payment date of 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 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 May 22, 2014 and intended for use only during the 2014 Legislative Session, is Fiscal Note No. 2014-138, prepared by the Actuary for the New York State and Local Police and Fire Retirement System.