# STATE OF NEW YORK

7501--A

2017-2018 Regular Sessions

# IN ASSEMBLY

April 28, 2017

Introduced by M. of A. ABBATE -- read once and referred to the Committee on Governmental Employees -- recommitted to the Committee on Governmental Employees in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the port authority of New York and New Jersey to offer a certain retirement option to port authority police officers Eddy Stelter, Scarlet M. Cooper, William A. Mudry, John F. Fitzpatrick, and Hugh A. Johnson

**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 port authority of New York and New Jersey, a participating employer in the New York state and local police and fire retirement system, which previously elected to offer the optional retirement plan established pursuant to section 384-d of the retirement and social security law to police officers employed by such authority, is hereby authorized to make participation in such plan available to police officers Eddy Stelter, Scarlet M. Cooper, William A. Mudry, John F. Fitzpatrick and Hugh A. Johnson who, on the effective date of this act are covered under the provisions of section 375-i of the retirement and social security law, and who, for reasons not ascribable to their own negligence failed to make a timely application to participate in such optional retirement plan. Thereafter, police officers Eddy Stelter, Scarlet M. Cooper, William A. Mudry, John F. Fitzpatrick and Hugh A. Johnson 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 within one year of the effective date of this act.

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

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§ 2. All past service costs associated with implementing the provisions of this act shall be borne by the port authority of New York and New Jersey.

§ 3. This act shall take effect immediately.

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

This bill will allow the port authority of New York and New Jersey to reopen the provisions of Section 384-d of the Retirement and Social Security Law for police officers Eddy Stelter, Scarlet M. Cooper, William A. Mudry, John F. Fitzpatrick, and Hugh A. Johnson. They are currently covered under Section 375-i.

If this legislation is enacted during the 2018 legislative session, we anticipate that there will be an increase of approximately $49,000 in the annual contributions of the port authority of New York and New Jersey for the fiscal year ending March 31, 2019. In future years, this cost will vary as the billing rates and salaries of these 5 police officers change.

In addition to the annual contributions discussed above, there will be a one-time past service cost of $546,000 which will be borne by the port authority of New York and New Jersey as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2019.

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, 2017 actuarial valuation. Distributions and other statistics can be found in the 2017 Report of the Actuary and the 2017 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2015, 2016, and 2017 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, 2017 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 Qualifications Standards to render the actuarial opinion contained herein.

This estimate, dated January 30, 2018, and intended for use only during the 2018 Legislative Session, is Fiscal Note No. 2018-49, prepared by the Actuary for the New York State and Local Retirement System.