STATE OF NEW YORK

8227--A

2017-2018 Regular Sessions

IN ASSEMBLY

June 2, 2017

Introduced by M. of A. BARRETT -- 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 Johel E. Dongo, Carl P. Cacace Jr., Douglas J. Parrish and Christopher Saya, to elect to participate in the optional twenty year retirement plan for firefighters employed by the Arlington Fire District in the county of Dutchess

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 Arlington Fire District, in the county of Dutchess, 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 Johel E. Dongo, Carl P. Cacace Jr., Douglas J. Parrish and Christopher Saya; firefighters employed by such fire district, who, for reasons not ascribable to their own negligence, failed to make a timely application to participate in such optional twenty year retirement plan. Thereafter, Johel E. Dongo, Carl P. Cacace Jr., Douglas J. Parrish and Christopher Saya 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 as well as section 384-e of such law, by filing a request to that effect with the state comptroller on or before December 31, 2018.

§ 2. All past service costs associated with implementing the provisions of this act shall be borne by the Arlington Fire District and may be amortized over a period of ten years.

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

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§ 3. Notwithstanding any other provision of law to the contrary, this act shall be contingent upon the Arlington Fire District Board of Fire Commissioners passing a resolution requesting the enactment of this legislation and providing copies of such resolution to each house of the legislature.

§ 4. This act shall take effect immediately.

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

This bill will allow the Arlington Fire District to elect to reopen the provisions of Section 384-d together with Section 384-e of the Retirement and Social Security Law for fire fighters Johel E. Dongo, Carl P. Cacace Jr., Douglas J. Parrish and Christopher Saya.

If this bill is enacted and these firefighters become covered under the provisions of Section 384-d together with Section 384-e, we anticipate that there will be an increase of approximately $42,000 in the annual contributions of the Arlington Fire District for the fiscal year ending March 31, 2019. In future years, this cost will vary as the billing rates and salaries of these firefighters change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of approximately $399,000 which would be borne by the Arlington Fire District as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2019. If the Arlington Fire District elects to amortize this cost over a 10 year period, the cost of the first year would be $53,100.

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 Qualification Standards to render the actuarial opinion contained herein.

This estimate, dated December 1, 2017, and intended for use only during the 2018 Legislative Session, is Fiscal Note No. 2018-13, prepared by the Actuary for the New York State and Local Retirement System.