STATE OF NEW YORK

5391--A

2019-2020 Regular Sessions

IN ASSEMBLY

February 11, 2019

Introduced by M. of A. LUPARDO -- 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 village of Endicott to offer an optional twenty year retirement plan to a certain police officer employed by such village

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, Jennifer Quinn, a member of the New York state and local police and fire retirement system, who was first employed as a police officer for the village of Endicott on August 7, 2000, and who, through no fault of her own, failed to file a timely application to participate in the special twenty year retirement plan contained in section 384-d of the retirement and social security law resulting in the crediting of her service with the village of Endicott in the retirement plan contained in section 375-i of such law, shall be given full credit in the section 384-d special twenty year retirement plan for such service upon the election of the village of Endicott to assume the additional cost of such service and her election to participate in such plan. The village of Endicott may so elect by, within one year of the effective date of this act, filing with the state comptroller a resolution of its local legislative body together with certification that such member did not bar herself from participation in such retirement plan as a result of her own negligence. Such police officer 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 eighteen months of the effective date of this act.

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

LBD05579-05-0

§ 2. All past service costs associated with implementing the provisions of this act shall be borne by the village of Endicott and may be amortized over a period of five years.

§ 3. This act shall take effect immediately.

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

This bill would allow the Village of Endicott to elect to reopen the provisions of Section 384-d of the Retirement and Social Security Law for police officer Jennifer Quinn.

If this bill is enacted during the 2020 legislative session and Jennifer Quinn becomes covered under the provisions of Section 384-d, we anticipate that there will be an increase of approximately $5,800 in the annual contributions of the Village of Endicott for the fiscal year ending March 31, 2021. In future years, this cost will vary as the billing rates and salary of Jennifer Quinn change.

In addition to the annual contributions discussed above, there will be an immediate past service cost of $152,000, which will be borne by the Village of Endicott as a one-time payment. This estimate is based on the assumption that payment will be made on February 1, 2021. If the Village of Endicott elects to amortize this cost over a 5 year period, the cost for the first year would be $34,600.

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, 2019 actuarial valuation. Distributions and other statistics can be found in the 2019 Report of the Actuary and the 2019 Comprehensive Annual Financial Report.

The actuarial assumptions and methods used are described in the 2015, 2016, 2017, 2018 and 2019 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, 2019 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 fiscal note does not constitute a legal opinion on the viability of the proposed change nor is it intended to serve as a substitute for the professional judgment of an attorney.

This estimate, dated February 27, 2020, and intended for use only during the 2020 Legislative Session, is Fiscal Note No. 2020-63, prepared by the Actuary for the New York State and Local Retirement System.