**[DATE]**

Alphonso David

Counsel to the Governor

Executive Chamber

New York State Capitol

Albany, New York 12224 **LETTER IN SUPPORT**

Re: *A.9702 (Abbate)/S.7023 (Young) – An act to amend the retirement and social security law, in relation to authorizing participating employers in the New York state and local police and fire retirement system offering an optional twenty year retirement plan for its police officers and firefighters, to offer such plan on a non-contributory basis*

Dear Mr. David:

As **[CHOOSE ONE: a fire fighter employed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ / members of NAME OF UNION]**, **[I/we]** strongly urge the enactment this legislation that would amend the New York State Retirement and Social Security Law (“RSSL”) to correct an anomaly created by legislation involving the ability of New York State and Local Police and Fire Retirement System (hereinafter the “Retirement System”) Tier V and Tier VI members to enroll in an optional non-contributory, twenty-year retirement plan.

This bill adds a new Article 26 of the RSSL to permit employers to elect an optional twenty-year retirement plan for police and fire fighters to participate on a non-contributory basis.

With the creation of Tier V in 2009, police officers and fire fighters who became members of the Retirement System were placed into contributory twenty-year retirement plans, unless the police officers or fire fighters had a collective bargaining agreement, which contained provisions to the contrary. Similar protections were not afforded to fire fighters working without a current collective bargaining agreement.

This legislation would afford the same opportunities to the police officers and fire fighters who were not working with a collective bargaining agreement at the time Tier V was enacted.

This legislation would similarly allow employers the option to extend this non-contributory, twenty-year retirement plan to police officers and fire fighters who are Tier VI members. However, the option of an employer to offer this optional plan to Tier V and VI members is not considered a mandatory subject of bargaining pursuant to the Taylor Law.

As noted by the Retirement System’s actuary, there would be no past service cost and the costs of the non-contribution retirement plan would be borne by the employers that have elected to provide the benefit to their police officers and/or fire fighters.

Respectfully submitted,

**[NAME]**

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