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FISCAL IMPACT REPORT

SPONSOR: Campos DATE TYPED: 03/15/03 HB _____

SHORT TITLE: Retired State Police Officers Back to Work SB 934

ANALYST: Gilbert

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
			\$0.1 See Narrative	Recurring	PERA

(Parenthesis () Indicate Expenditure Decreases)

Relates to: HB 111, SB 376, SB 537

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Bill

From June 30, 2003 to January 1, 2005, any retired state police member or retired municipal police member may be reemployed, without suspension of retirement benefits, as an officer by the New Mexico state police or as a police officer by an affiliated public employer other than the state to temporarily fill a vacant position resulting from a member's activation pursuant to a federal call to active military duty and deployment in response to an international crisis relating to terrorism, a peacekeeping mission or any other declared national emergency. The retired state police member or municipal police member shall file a limited exemption from membership with the required employer certification verifying temporary reemployment with the association within thirty days of reemployment. Filing of a limited exemption shall irrevocably bar the retired state police member or municipal police member from acquiring service credit for the period of exemption from membership. A limited exemption filed under the provisions of this subsection shall expire on or before January 1, 2005.

Significant Issues

Without a determination of its actuarial cost (if any) by PERA's actuary, SB 934 may violate NM Const., Art. XX, Section 22 (no benefits may be enhanced unless the costs of those benefits

are properly funded in accordance with actuarial standards).

FISCAL IMPLICATIONS

NM Const., Art. XX, Section 22 provides that no benefits may be enhanced unless the costs of such benefits are properly funded in accordance with actuarial standards. In the absence of a current actuarial study pertaining to the benefit enhancements contained in SB 934, this bill may not be consistent with NM Const. Art. XX, Section 22.

RELATIONSHIP

SB 537 allows retired nurses to return to work without suspending their PERA benefits.

HB 111 proposes to increase the earnings limit for PERA retirees from the current \$15.0 to \$25.0.

SB 376 proposes to allow a retiree to collect a pension and continue working for an affiliated public employer without restriction if they remain unemployed for a period of 90-days after retirement.

RLG/yr:njw