

REFERENCE TITLE: CORP; joinders; dispatchers; asset transfer

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2269

Introduced by
Representatives McClure: Konopnicki, Meza

AN ACT

AMENDING SECTION 38-902, ARIZONA REVISED STATUTES; RELATING TO THE
CORRECTIONS OFFICER RETIREMENT PLAN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 38-902, Arizona Revised Statutes, is amended to
3 read:

4 38-902. Joinder agreement

5 A. County detention officers and nonuniformed employees of a sheriff's
6 department whose primary duties require direct contact with inmates may
7 participate in this plan if the board of supervisors of the county enters
8 into a joinder agreement with the fund manager to bring such employees into
9 this plan. The joinder agreement shall be in accordance with the provisions
10 of this plan. All such employees shall be designated for membership in the
11 joinder agreement unless written consent to the contrary is obtained from the
12 fund manager.

13 B. City or town detention officers may participate in this plan if the
14 governing body of the city or town enters into a joinder agreement with the
15 fund manager to bring its detention officers into this plan. The joinder
16 agreement shall be in accordance with the provisions of the plan. The
17 governing body of the city or town shall designate all detention officers for
18 membership in the plan unless written consent to the contrary is obtained
19 from the fund manager.

20 C. Full-time dispatchers may participate in this plan if the governing
21 body or agency of the employer of an eligible group as defined in
22 section 38-842 enters into a joinder agreement with the fund manager to bring
23 its full-time dispatchers into this plan. The joinder agreement shall be in
24 accordance with the provisions of this plan, EXCEPT THAT FOR THOSE
25 DISPATCHERS DESIGNATED FOR MEMBERSHIP IN THE PLAN ON THE JOINDER DATE THE
26 GOVERNING BODY OR AGENCY MAY AGREE TO ALLOW ALL CREDITED SERVICE FROM ANY
27 OTHER ARIZONA DEFINED BENEFIT STATE RETIREMENT SYSTEM OR PLAN TO BE
28 TRANSFERRED TO THE CORRECTIONS OFFICER RETIREMENT PLAN. The governing body
29 or agency of the employer shall designate all full-time dispatchers for
30 membership in the plan except for a full-time dispatcher who signs an
31 irrevocable agreement before the joinder agreement becomes effective electing
32 not to become a member of the plan. A full-time dispatcher employed by an
33 employer who becomes eligible for membership in the plan pursuant to this
34 section may elect to participate in the plan within the deadlines and
35 pursuant to the terms prescribed for such participation by the fund manager.

36 D. Probation, surveillance and juvenile detention officers may
37 participate in this plan if the administrative office of the courts enters
38 into a joinder agreement with the fund manager to bring its probation,
39 surveillance and juvenile detention officers into this plan. The joinder
40 agreement shall be in accordance with the provisions of this plan. The
41 administrative office of the courts shall designate all probation,
42 surveillance and juvenile detention officers for membership in this plan
43 unless written consent to the contrary is obtained from the fund manager.

44 E. The new employer shall designate the groups of employees who are
45 eligible to participate in the plan and shall agree to make contributions

1 each year that are sufficient to meet both the normal cost of a level cost
2 method attributable to inclusion of its employees and the prescribed interest
3 on the past service cost for its employees.

4 F. Before the execution of any joinder agreement each employer
5 contemplating participation in the plan shall have an actuarial valuation
6 made, which is payable by the employer, to determine the estimated cost of
7 participation in accordance with section 38-894.

8 G. Assets under any existing public employee defined benefit
9 retirement program, except a military retirement program, that are necessary
10 to equal the actuarial present value of projected benefits to the extent
11 funded on a market value basis as of the most recent actuarial valuation
12 attributable to the employer's designated employee group, calculated using
13 the actuarial methods and assumptions adopted by the existing public employee
14 retirement program, shall be transferred from the program to this fund no
15 later than sixty days after the employer's effective date. That portion of
16 the transferred assets that is attributable to employee contributions,
17 including interest credits, shall be properly allocated to each affected
18 employee of the employer and credited to the employee's initial accumulated
19 contributions in accordance with a schedule furnished by the employer to the
20 fund manager.