Min = 6-15-72 Page 438 Book 13 =

R E S O L U T I O N

WHEREAS, more than seventy percent of the employees of Navajo County have elected to seek membership in the Arizona State Retirement Fixed Benefit Plan, which fact has been certified to the Arizona State Retirement Board and accepted by them to become effective July 1, 1972; and

WHEREAS, the Legislature has by A.R.S. §38-781.34 extended the benefits of the Arizona State Retirement Fixed Benefit Plan to elected county officers, effective December 31, 1972.

NOW, THEREFORE: Upon motion duly made, seconded and unanimously passed, be it hereby resolved by the Navajo County Board of Supervisors assembled that the elected officers of Navajo County be included in the Arizona State Retirement Fixed Benefit Plan and that Navajo County as the County employer member of the system hereby elects to become an employer member of the plan.

DATED at Holbrook, Arizona, this 22 day of June, 1972.

NAVAJO COUNTY BOARD OF SUPERVISORS

BY: M. J. O'Haco
Chairman

William M Smith
Member

Mark E. Taylor
Member

ATTEST:

Dorothy J Barnett
Clerk of the Board

ARIZONA STATE RETIREMENT SYSTEM

132 SOUTH CENTRAL AVENUE • P. O. BOX 4305 • PHONE 271-5131
PHOENIX, ARIZONA 85030

RETIREMENT BOARD
JOSEPH H. MARKEY
CHAIRMAN
DAVID L. CONNER
PETER C. GAFFNEY
FREDERICK R. STOFFT
ROBERT S. SUNDT

WAYNE R. GIBSON
ADMINISTRATOR
ARNOLD C. JOHNSON
FINANCE MANAGER
WALTER F. TORCZON
VERNE L. JOHNSON
FRED D. LEE

June 14, 1972

JUN 16 1972

Miss Dorothy Leavitt, Clerk
Navajo County Board of Supervisors
P. O. Box K
Holbrook, Arizona 86025

Dear Miss Leavitt:

The Retirement Board accepts your certification that Navajo County, by a margin of more than 70%, has elected membership in the Arizona State Retirement Fixed Benefit Plan. The transfer date will be July 1. The retirement fund balances for members electing to transfer will include deposits through June 30, interest earnings, and supplemental credits. Members eligible for and desiring to retire under the Fixed Benefit Plan may do so on or after July 1, 1972.

Title 38, Chapter 5, Article 2, ARS is amended by adding Section 38-781.34 (a copy enclosed). The effective date of this section is December 31, 1972. The Retirement Board suggests that a decision to apply new Section 38-781.34 be made coincident to your preparation of your 1972-73 fiscal year budget. Your decision to apply Section 38-781.34 may be affirmed to us by a certified copy of the appropriate Board motion.

The new section provides for an actuarial determination. The minutes of the Retirement Board meeting of May 31 acknowledge Board acceptance of a letter dated April 3 to the Executive Director, Arizona Association of Counties, and the schedule "Arizona Counties, Elected Officials Valuations". The employer cost in dollars for your county is based on an annual payroll of $135,000. You are already committed to $6,750 (5% of $135,000). The total to be budgeted is $30,270 including the 5% commitment.

There will be a separate account for each county electing Section 38-781.34. The employee, employer and prior service funds already accumulated for each elected official will be transferred to the new account.

Subsequent deposits in behalf of elected officials will be to this account. The current liabilities will be adjusted from time to time, as subsequent valuations are made. The Retirement Board believes a recognition of the costs resulting from adopting Section 38-781.34 should be affirmed by now budgeting for 1972-73 employer payments.

Sincerely,

Wayne R. Gibson
Administrator

WRG:caw
Enclosure

COMPILED AND ISSUED BY
WESLEY BOLIN
SECRETARY OF STATE
for use until Session Laws are printed

State of Arizona
Senate
Thirtieth Legislature
Second Regular Session

CHAPTER 88

SENATE BILL 1023

AN ACT

RELATING TO PUBLIC OFFICERS AND EMPLOYEES; AUTHORIZING INCREASED BENEFITS UNDER THE RETIREMENT PLAN FOR ELECTED OFFICERS OF COUNTIES THAT ARE EMPLOYER-MEMBERS OF THE STATE RETIREMENT SYSTEM AND HAVE ELECTED TO BECOME PARTICIPANT EMPLOYERS IN THE RETIREMENT PLAN; AUTHORIZING ELECTED OFFICIALS OF CERTAIN CHARTER CITIES TO RECEIVE INCREASED BENEFITS, AND AMENDING TITLE 38, CHAPTER 5, ARTICLE 2.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 38-781.34.

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

Section 1. Title 38, chapter 5, article 2.1, Arizona Revised Statutes, is amended by adding section 38-781.34, to read:

38-781.34. Retirement benefits for elected officers of counties

A. NOTWITHSTANDING ANY PROVISIONS OF LAW TO THE CONTRARY, EACH ELECTED OFFICER OF A COUNTY SERVING AS SUCH OR AS AN ELECTED OFFICER OF THE STATE OR ANOTHER COUNTY ON THE EFFECTIVE DATE OF THIS SECTION, OR THEREAFTER, SHALL RECEIVE RETIREMENT BENEFITS IN THE SAME MANNER AS PROVIDED FOR EMPLOYEE PARTICIPANTS UNDER THE PROVISIONS OF THIS ARTICLE, EXCEPT THAT THE BENEFITS TO BE RECEIVED BY SUCH OFFICERS SHALL BE AT THE ANNUAL RATE OF FIFTY PER CENT OF HIS YEARLY SALARY UPON RETIREMENT, BUT NOT MORE THAN NINE THOUSAND DOLLARS, PROVIDED HE HAS SERVED AN AGGREGATE TOTAL OF FIFTEEN YEARS AS AN ELECTED OFFICER OF SUCH COUNTY, THE STATE OR ANOTHER COUNTY. YEARS OF SERVICES FOR PURPOSES OF THIS SECTION ONLY SHALL INCLUDE ALL YEARS OF PAST SERVICE, YEARS OF PRIOR SERVICE AND YEARS OF FUTURE SERVICE AS AN ELECTED OFFICER. IF SUCH ELECTED OFFICER SERVES AS SUCH

FOR MORE THAN FIFTEEN YEARS, BUT NOT TO EXCEED THIRTY YEARS, THEN SUCH BENEFITS SHALL BE INCREASED AT THE RATE OF THREE AND ONE THIRD PER CENT PER YEAR OF HIS YEARLY SALARY UPON RETIREMENT, EXCEPT THAT SUCH BENEFITS SHALL NOT BE INCREASED MORE THAN TWENTY-FIVE PER CENT OF HIS YEARLY SALARY UPON RETIREMENT FOR PAST OR PRIOR SERVICE, OR BOTH. IF HE SERVES AS SUCH OFFICER LESS THAN FIFTEEN YEARS BUT FIVE OR MORE YEARS HIS ANNUAL BENEFITS SHALL BE DECREASED PROPORTIONATELY AT THE RATE OF THREE AND ONE THIRD PER CENT. IF HE SERVES AS AN OFFICER LESS THAN FIVE YEARS, HE SHALL HAVE REFUNDED TO HIM THE CONTRIBUTIONS MADE BY HIM TOGETHER WITH INTEREST AS DETERMINED BY THE BOARD.

B. IN ADDITION TO THE BENEFITS PROVIDED IN SUBSECTION A OF THIS SECTION, SUCH ELECTED OFFICERS SHALL BE ELIGIBLE FOR ALL OTHER BENEFITS PROVIDED IN THIS ARTICLE EXCEPT FOR RETIREMENT BENEFITS, WHICH SHALL BE AS PROVIDED IN SUBSECTION A OF THIS SECTION.

C. THE PROVISIONS OF THIS SECTION SHALL NOT BECOME EFFECTIVE FOR A COUNTY EMPLOYER MEMBER OF THE SYSTEM UNLESS:

1. THE COUNTY EMPLOYER MEMBER OF THE SYSTEM ELECTS TO BECOME AN EMPLOYER MEMBER OF THE PLAN, AND

2. BEFORE ELECTING TO BECOME AN EMPLOYER MEMBER OF THE PLAN, AN ACTUARIAL DETERMINATION HAS BEEN MADE BY THE COUNTY OF THE COST FOR SUCH COUNTY TO PARTICIPATE AS A MEMBER OF THE PLAN. THEREAFTER, SUCH ACTUARIAL DETERMINATION SHALL BE MADE EVERY FOURTH YEAR.

D. MONIES NEEDED BY SUCH COUNTY TO CARRY OUT THE PROVISIONS OF THIS SECTION, IN EXCESS OF THE EMPLOYEE CONTRIBUTIONS AND EMPLOYER CONTRIBUTIONS REQUIRED ON THE DATE THAT THIS SECTION BECOMES EFFECTIVE FOR SUCH COUNTY, AND THEREAFTER, SHALL BE FUNDED BY APPROPRIATIONS BY THE COUNTY IN ACCORDANCE WITH ACTUARIAL DETERMINATIONS.

E. THE PROVISIONS OF THIS SECTION SHALL NOT BE APPLICABLE TO JUDGES WHO ARE MEMBERS OF THE RETIREMENT PROGRAM PROVIDED IN ARTICLE 3 OF THIS CHAPTER.

F. UPON THE ADOPTION OF A RESOLUTION BY THE CITY COUNCIL, THE PROVISIONS OF THIS SECTION SHALL BE APPLICABLE TO FULL TIME

ELECTED OFFICIALS OF CHARTER CITIES, HAVING A POPULATION OF LESS THAN THIRTY THOUSAND IN 1970, THAT WERE SERVING IN AN ELECTIVE OFFICE PRIOR TO MAY 20, 1970, AND WHO ARE STILL IN ELECTED OR APPOINTED OFFICE IN THE SAME CITY ON THE EFFECTIVE DATE OF THIS SECTION, PROVIDED SUCH OFFICIALS SHALL NOT BE ELIGIBLE TO RECEIVE BENEFITS PURSUANT TO THIS SECTION UNTIL THEY HAVE ATTAINED AGE 62.

Sec. 2. Effective date

The provisions of this act shall be effective on December 31, 1972.

Approved by the Governor - May 4, 1972

Filed in the Office of the Secretary of State - May 4, 1972

Resolution

Whereas, more than seventy percent of the employees of Navajo County have elected to seek membership in the Arizona State Retirement Fixed Benefit Plan, which fact has been certified to the Arizona State Retirement Board and accepted by them to become effective July 1, 1972; and

Whereas, the Legislature has by A.R.S. 38-781.34 extended the benefits of the Arizona State Retirement Fixed Benefit Plan to elected county officers, effective December 31, 1972.

Now therefore: Upon motion duly made, seconded and unanimously passed, be it hereby resolved by the Navajo County Board of Supervisors assembled that the elected officers of Navajo County be included in the Arizona State Retirement Fixed Benefit Plan and that Navajo County as the county employer member of the system hereby elects to become an employer member of the plan.

Dated at Holbrook Arizona this — day of —— 1972

Navajo County Board of Supervisors

By ——————
Chairman

attest: ——————
Clerk of the Board