

**Department of Legislative Services  
Maryland General Assembly  
2005 Session**

**FISCAL AND POLICY NOTE  
Revised**

Senate Bill 930 (Senator Klausmeier)  
Budget and Taxation

Appropriations

**Law Enforcement Officers' Pension System - Transfers of Members of the  
Maryland Transit Administration Police Force**

This pension bill transfers members of the Maryland Transit Administration (MTA) police force into the Law Enforcement Officers' Pension System (LEOPS).

The bill takes effect July 1, 2005.

**Fiscal Summary**

**State Effect:** For FY 2006, special fund pension contributions by MTA (Transportation Trust Fund) would increase by \$3.3 million to reflect the existing higher contribution rate for LEOPS. In addition, State pension liabilities would increase by \$23.8 million, resulting in increased employer contributions to LEOPS by MTA and other State agencies of \$3.7 million beginning in FY 2007, and increasing thereafter based on actuarial assumptions. Special fund expenditures for the State Retirement Agency would increase by \$10,000 in FY 2006 only.

(in dollars)	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Revenues	\$0	\$0	\$0	\$0	\$0
SF Expenditure	3,329,200	3,479,700	3,618,900	3,763,700	3,914,200
GF/SF/FF Exp.	0	210,800	219,200	228,000	237,100
Net Effect	(\$3,329,200)	(\$3,690,500)	(\$3,838,100)	(\$3,991,700)	(\$4,151,300)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** None.

## Analysis

**Current Law:** MTA police officers are State employees and are currently in the same pension plan as other MTA employees. This plan is collectively bargained and does not include management employees. A member is eligible for a normal service retirement at age 52 with 30 years of service or at age 65 with five years of service. The benefit equals 1.3% of average final compensation times years of service; however, there is a minimum benefit of \$450 per month and a current maximum benefit (adjusted annually as part of collective bargaining) of \$50 per month times years of service. There is no mandatory employee contribution; however, the employee may contribute to fund a death benefit. Virtually all MTA police officers receive the maximum benefit at the time of retirement, which for the current year would be \$600 per year for each year of service (\$50 times 12 months).

The MTA plan's assets are invested by the State Retirement and Pension System (SRPS) although the plan is not a part of SRPS. Milliman USA, SRPS's actuary, also provides actuarial services to the MTA plan. The actuary advises that the MTA plan is approximately 36.6% funded on an actuarial basis.

**Background:** LEOPS members may retire with full benefits at age 50 or with 25 years of service, regardless of age. There is a 4% mandatory employee contribution. (Under the bill, for members transferring from the MTA plan to LEOPS, members and MTA will share the cost of the 4% contribution the members would have paid under the LEOPS plan since it became contributory in 2000.) The benefit formula provides 2% of average final compensation (AFC) for each year of service up to a maximum 30 years (or 60% of AFC). LEOPS members are eligible for a Deferred Retirement Option Program, which allows them to technically "retire" while continuing to work, with their accrued pension benefits accumulating in an account for payment at termination of employment.

Membership in LEOPS includes the following public safety employees:

- Department of Natural Resources police and rangers;
- Maryland Investigative Services Unit officers (Comptroller's Office);
- Maryland Transportation Authority police officers;
- Baltimore City Deputy Sheriffs;
- University of Maryland police officers;
- Morgan State University police officers;
- State Fire Marshal and Deputy State Fire Marshals;
- law enforcement officers of an electing governmental unit;
- Maryland Aviation Administration Fire Rescue Service officers;

- Department of General Services police officers;
- Department of Health and Mental Hygiene police officers;
- Motor Vehicle Administration police officers;
- Department of Labor, Licensing, and Regulation police officers;
- Martin State Airport firefighters; and
- Division of Rehabilitation Services police officers of the Department of Education.

**State Expenditures:** There are currently 146 police officers employed by MTA with an average salary of approximately \$52,287. MTA's total contributions in fiscal 2006 increase by \$3.3 million. Under the bill, MTA would be required to pay the LEOPS contribution rate of 38.47% of pay, as opposed to the MTA rate of 4.96%.

In addition, the actuary estimates that the net increased actuarial liabilities under the proposal would be approximately \$23.8 million (including the additional liabilities to LEOPS offset somewhat by the transfer of assets from the MTA plan and repayment of missed LEOPS employee contributions). Amortizing these actuarial liabilities over 25 years, plus the increased normal costs associated with the improved benefit, results in a first-year cost of \$3.7 million beginning in fiscal 2007 and increasing thereafter based on actuarial assumptions. Some of these costs – approximately \$3.5 million in fiscal 2007 – would be borne by MTA. The remainder of the cost would be borne by other agencies that participate in LEOPS, reflecting the increase in unfunded liabilities associated with the transferred members.

The State Retirement Agency would incur \$10,000 in additional administrative expenses in transferring these employees from the MTA plan to LEOPS.

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### **Additional Information**

**Prior Introductions:** Similar bills, SB 804/HB 1027 and SB 661/HB 1035 were introduced in 2004 and 2003, respectively, but no action was taken.

**Cross File:** None.

**Information Source(s):** Milliman USA, Maryland State Retirement Agency, Department of Legislative Services

**Fiscal Note History:** First Reader - March 22, 2005  
ncs/jr Revised - Senate Third Reader - April 7, 2005

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