

## Joint Subcommittee to Study the Virginia Retirement System and Benefits for Public Safety Officers Injured in the Line of Duty (HJR 34 - 2004)

November 29, 2004

The Joint Subcommittee to Study the Virginia Retirement System and Benefits for Public Safety Officers Injured in the Line of Duty (HJR 34 - 2004) held its fourth and final meeting on November 29, 2004.

The focus of the meeting was the Line of Duty Act and consideration of potential membership criteria for the Virginia Law Officers' Retirement System ("VaLORS").

An official from VRS provided a general overview of VaLORS. Currently, there are 9,755 active members in VaLORS and an additional 1,000 retired members. Members of VaLORS can retire with an actuarially reduced retirement benefit at age 50 with 5 years of service and can retire with an unreduced retirement benefit at age 50 with 25 years of service or age 60 with 5 years of service. Employer contribution rates for retirement benefits of VaLORS members as a percent of annual payroll are 16.99%. VaLORS currently has an unfunded liability of \$396 million.

Next, an attorney of Kaufman & Canoles discussed the membership of VaLORS in more detail. There is no current objective standard for determining membership in VaLORS. In short, certain groups of employees have been approved for membership and, while these employees perform hazardous duties, there is no current objective standard that provides a description of the required duties or job functions for membership in VaLORS. The Kaufman & Canoles representative indicated that some of the benefits of an objective standard for membership in VaLORS would include (i) minimizing employee confusion in regard to who is eligible for membership; (ii) providing concrete justification for enhanced benefits; and (iii) eliminating the need for continued involvement by the General Assembly in determining membership. One disadvantage of using an objective standard for membership is that such a standard limits the ability of the General Assembly to exercise control over future VaLORS membership decisions. The representative concluded his presentation by recommending elements of an objective standard that could be used for purposes of determining VaLORS membership: (i) sworn law enforcement officers with the power of arrest; (ii) positions whose primary responsibilities involve hazardous duties, possibly defined in relation to those of the state police; and (iii) positions where the aging process interferes with the individual's ability to perform the physical functions of the position.

### **Next Meeting**

The next meeting of the joint subcommittee will be held on Tuesday, October 19th, at 1:00 PM in House Room D of the General Assembly building. At this meeting, the joint subcommittee will receive comment from the public in regard to Virginia Law Officers' Retirement System membership. Person wishing to speak at the public hearing should call Mark Vucci or David Rosenberg in the Division of Legislative Services office, (804) 786-3591, to sign up or e-mail [MVucci@leg.state.va.us](mailto:MVucci@leg.state.va.us). It is requested that one representative of each interested group address the subcommittee with brief comments.