S T A T E O F N E W Y O R K

4240

2009-2010 Regular Sessions

I N A S S E M B L Y

February 2, 2009

Introduced by M. of A. PHEFFER -- Multi-Sponsored by -- M. of A. MILLMAN -- read once and referred to the Committee on Governmental Employees

AN ACT in relation to service credit for time served in the Cadet Nurse Corps for members of a public retirement system

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Notwithstanding the provisions of any other law, a member of a retirement system or pension plan administered by the state or any of its political subdivisions may receive credit for service rendered, prior to last joining such system or plan, in the Cadet Nurse Corps of the United States pursuant to the United States Cadet Nurse Corps Act of June 15, 1943.

S 2. The amount of credit for such service shall be determined according to such system's or plan's rules and regulations regarding service credit, with the proviso that in no case shall the number of years of service credited pursuant to this act be more than the number of years of credited New York state service.

S 3. The service credit granted pursuant to this act shall constitute credited service for the sole purpose of computing the pension payable upon retirement for service. Under no circumstances shall the service credited pursuant to this act be used either in determining the total length of service credit for purposes of eligibility for a service retirement benefit or in computing final average salary. However, no credit shall be allowed for any service for which the member is receiving or will be entitled to receive a benefit from any other public or private retirement system or plan in this state or any other state or from the federal government.

S 4. To obtain credit for such service, a member shall file an application with the comptroller or administrative head of such system or plan prior to retirement setting forth the service for which credit is sought and in addition file proof of such service as shall be required by such system or plan.

S 5. This act shall take effect June 30, 2009.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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