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

5585

2011-2012 Regular Sessions

I N S E N A T E

June 3, 2011

Introduced by Sen. OPPENHEIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Civil Service and Pensions

AN ACT to authorize the New York state and local employees' retirement system to consider the application for accidental and/or ordinary disability retirement benefits from Michael Lombardi

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

Section 1. Notwithstanding any other provision of law, the application for accidental and/or ordinary disability retirement benefits of Michael Lombardi who was employed by the County of Westchester from October 2, 1989 to January 13, 1991, the Town of North Castle Water and Sewer Department from January 14, 1991 to January 18, 1995 and the North Castle Highway Department from January 19, 1995 until discontinuance of such employment on January 16, 2009, and is a member of the New York state and local employees' retirement system, which for reasons not ascribable to his own negligence was not accepted for consideration by such system, shall be accepted for consideration by the New York state and local employees' retirement system as if such application had been filed with such system in a timely manner.

S 2. Any accidental and/or ordinary disability benefits to which Michael Lombardi may be entitled upon consideration of the application referred to in section one of this act, shall commence as of the day such application was filed.

S 3. This act shall take effect immediately.

FISCAL NOTE.-- Pursuant to Legislative Law, Section 50:

This bill would require that Michael Lombardi's application for an Ordinary Disability retirement be accepted for consideration as if it had been filed with the New York State and Local Employees' Retirement System in a timely manner. This would qualify him for consideration for

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

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an ordinary disability benefit, which if approved would be payable from the date of the application.

If this bill is enacted, and a disability benefit is approved, we anticipate that there would be an immediate past service cost of approximately $185,000 which would be borne by the State of New York and all the participating employers in the New York State and Local Employees' Retirement System.

This estimate, dated May 24, 2011 and intended for use only during the 2011 Legislative Session, is Fiscal Note No. 2011-192, prepared by the Actuary for the New York State and Local Employees' Retirement System.