



November 27, 2018

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Carol Kellermann

The Honorable Andrew M. Cuomo
Governor of the State of New York
Executive Chamber
State Capitol
Albany, NY 12224

Dear Governor Cuomo,

I am writing on behalf of the Citizens Budget Commission to recommend you veto A8164-b/S3770-b, A8402-b/S6435-b, A9909/S7705, A9910/S7704, and A10735/S7933, which were delivered to your desk yesterday. These bills, along with seven other bills passed by the Legislature that will be sent to you over the coming weeks, are costly and unwarranted expansions of government employee and retiree benefits that should be vetoed to preserve the fiscal restraint you have strived to maintain over the last eight years.

The proposed benefit expansions improve death and disability benefits, enrich retirement benefits, and enhance retiree health insurance benefits; the justification for many of these bills is weak or unclear. In addition several were passed without a fiscal note which makes their approval particularly ill advised.

We urge you to veto the following bills:

Death and Disability Benefits

A6413-a (Abbate)/S4634-a (Funke) would expand the presumption of work-related disease regarding impairment caused by heart disease to include State University of New York (SUNY) police officers.

A6991 (Abbate)/S6274 (Lanza) would provide paid time off, reimbursement of medical bills, and light-duty determination for Port Authority of New York and New Jersey police officers who become ill or injured in the performance of their duties.

A7600-c (Abbate)/S5594-c (Golden) would increase performance of duty disability from half to three-quarters of final average salary for members of the Division of Law Enforcement in the Department of Environmental Conservation, forest rangers, university police officers, and regional State park police. This bill would increase annual contributions by \$350,000 with an immediate past service cost of \$2.17 million.

A8164-b (Brindisi)/S3770-b (Akshar) would create a presumption for police officers and firefighters that any staph/MRSA infections are work-related.

A9909 (Abbate)/S7705 (Golden) would provide that Tier 3, 4, 5, and 6 uniformed court officers and peace officers in the Unified Court System are eligible for an enhanced accidental disability pension as a result of an assault. The benefit would be 75 percent of final average salary less worker's compensation.

A10015 (Jenne)/S7525 (Ritchie) would enhance in-service death benefits for State correction officers who are retirement eligible and die while in service. The death benefit for Tiers 2 through 6 would be the same as if those individuals had retired on the day of their death. This bill would cost \$13.2 million in past service costs.

A10415 (Abbate)/S8066 (Golden) would allow employers to increase accidental disability benefits for deputy sheriffs from two-thirds of final average salary to three-quarters of final average salary minus worker's compensation.

Pension Benefits

A7599-a (Abbate)/S5731-a (Parker) would remove the \$15,000 limit on inclusion of overtime pay for purposes of calculating final average salary for Tier 6 New York City Transit Authority employees enrolled in an early retirement plan.

A8402-b (Abbate)/S6435-b (Flanagan) would allow SUNY registered nurses in the Professional, Scientific, and Technical bargaining unit, who first became employed by SUNY Stony Brook Hospital between January 1, 1996 and December 31, 1999, to terminate membership in the Optional Retirement Program and join the New York State and Local Employees' Retirement System (NYSLERS). Affected members would pay the entire past service cost and the State would be responsible for paying 15.8 percent of salary for any impacted employees going forward.

A9910 (Abbate)/S7704 (Golden) would allow Tier 6 uniformed court officers and peace officers employed by the Unified Court System to retire without early age reduction upon attaining 30 years of creditable service and age 55. It would also reduce the normal retirement age from 63 to 62 and lessen the reductions in benefits for those who retire prior to normal retirement age. It would increase costs by \$363,000 per year and have a one-time retroactive cost of \$1.12 million.

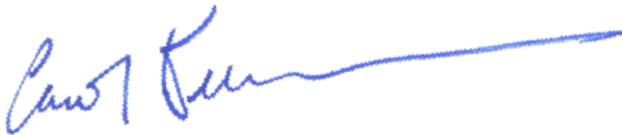
A10950 (Abbate)/S7134 (Ortt) would authorize counties to create an early retirement plan for correction officers and deputy sheriffs.

Retiree Health Insurance

A10735 (Abbate)/S7933 (Benjamin) would restore sick leave balances for former State employees employed by a community college allowing them to use such sick leave as a credit against their health insurance premiums.

Adopting these bills would erode the savings New York State and its localities are realizing from the implementation of Tier 6 pension benefits. You should affirm your commitment to fiscal prudence by vetoing them.

Sincerely,



Carol Kellermann
President