

## VETO MESSAGE - No. 235

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 4724, entitled:

"AN ACT in relation to granting William J. Cooley additional service credit with the New York state and local police and fire retirement system"

Senate Bill Number 4725, entitled:

"AN ACT to authorize Patrick Humiston to receive certain service credit under section 384-d of the retirement and social security law"

NOT APPROVED

These bills would allow two police officers to transfer service credit accrued while they were employed with the Erie County Sheriff's Department to the pension plan of the City of Buffalo Police Department. While granting this credit creates a precedent, these two officers were laid off from the City of Buffalo in July of 2002, and due to no fault of their own were not hired back by the City once re-hiring began. The City of Buffalo has provided a home rule message indicating its support.

However, because these bills provide transfer of service credit for time earned as Erie County Deputy Sheriffs prior to the date that the City of Buffalo should have rehired them, I am constrained to veto these bills as written.

These bills are disapproved.

(signed) ANDREW M. CUOMO

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