

11A:5-1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2001 **CHAPTER:** 127
NJSA: 11A:5-1 (Expands veterans' benefits - Lebanon crisis)
BILL NO: A1330 (Substituted for S1894)

SPONSOR(S): Augustine and Azzolina

DATE INTRODUCED: January 11, 2000

COMMITTEE: **ASSEMBLY:** State Government; Appropriations

SENATE: Senior Citizens; Budget

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** May 24, 2001

SENATE: May 3, 2001

DATE OF APPROVAL: June 28, 2001

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (1st reprint enacted)

(Amendments during passage denoted by superscript numbers)

A1330

SPONSORS STATEMENT: (Begins on page 21 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes 1-24-2000
(State Govt.)

1-27-2000 (Approp.)

SENATE: Yes 3-15-2001
(Budget)

6-15-2000 (Senior
Cit.)

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL NOTE: Yes

LEGISLATIVE FISCAL ESTIMATE: Yes

S1894

SPONSORS STATEMENT: (Begins on page 22 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

Govt.)

SENATE: Yes 2-26-01 (State

3-15-01 (Budget)

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL NOTE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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ASSEMBLY, No. 1330

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman ALAN M. AUGUSTINE

District 22 (Middlesex, Morris, Somerset and Union)

Assemblyman JOSEPH AZZOLINA

District 13 (Middlesex and Monmouth)

Co-Sponsored by:

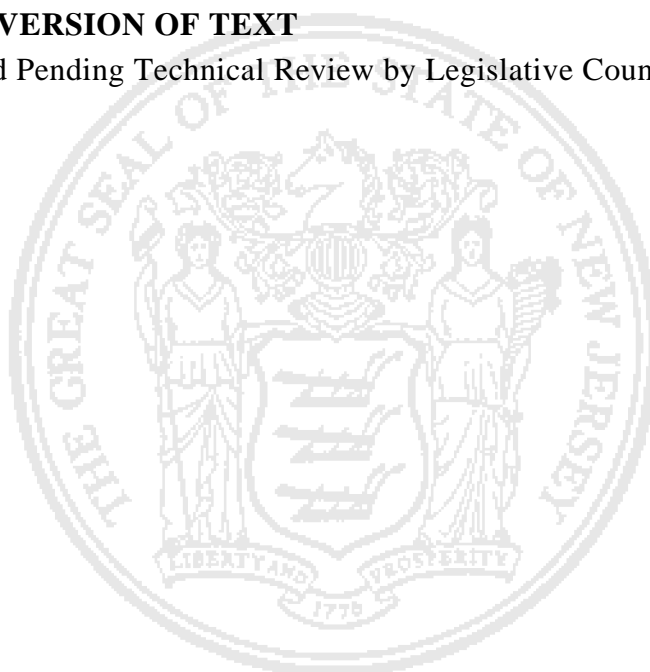
Assemblywoman Heck and Assemblyman Thompson

SYNOPSIS

Expands certain veterans' benefits to certain participants in the Lebanon Crisis of 1958.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



A1330 AUGUSTINE, AZZOLINA

2

1 AN ACT concerning the qualification of certain persons as veterans for
2 certain purposes and amending various parts of the statutory law.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. N.J.S.11A:5-1 is amended to read as follows:

8 11A:5-1. Definitions. As used in this chapter:

9 a. "Disabled veteran" means any veteran who is eligible to be
10 compensated for a service-connected disability from war service by the
11 United States Veterans Administration or who receives or is entitled
12 to receive equivalent compensation for a service-connected disability
13 which arises out of military or naval service as set forth in this chapter
14 and who has submitted sufficient evidence of the record of disability
15 incurred in the line of duty to the commissioner on or before the
16 closing date for filing an application for an examination;

17 b. "Veteran" means any honorably discharged soldier, sailor,
18 marine or nurse who served in any army or navy of the allies of the
19 United States in World War I, between July 14, 1914 and
20 November 11, 1918, or who served in any army or navy of the allies
21 of the United States in World War II, between September 1, 1939 and
22 September 2, 1945 and who was inducted into that service through
23 voluntary enlistment, and was a citizen of the United States at the time
24 of the enlistment, and who did not renounce or lose his or her United
25 States citizenship; or any soldier, sailor, marine, airman, nurse or army
26 field clerk, who has served in the active military or naval service of the
27 United States and has been discharged or released under other than
28 dishonorable conditions from that service in any of the following wars
29 or conflicts and who has presented to the commissioner sufficient
30 evidence of the record of service on or before the closing date for
31 filing an application for an examination:

32 (1) World War I, between April 6, 1917 and November 11, 1918;

33 (2) World War II, on or after September 16, 1940, who shall have
34 served at least 90 days beginning on or before December 31, 1946 in
35 such active service, exclusive of any period of assignment for a course
36 of education or training under the Army Specialized Training Program
37 or the Navy College Training Program, which course was a
38 continuation of a civilian course and was pursued to completion, or as
39 a cadet or midshipman at one of the service academies; except that any
40 person receiving an actual service-incurred injury or disability shall be
41 classed a veteran whether or not that person has completed the 90-day
42 service;

43 (3) Korean conflict, on or after June 23, 1950, who shall have

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 served at least 90 days beginning on or before January 31, 1955, in
2 active service, exclusive of any period of assignment for a course of
3 education or training under the Army Specialized Training Program or
4 the Navy College Training Program, which course was a continuation
5 of a civilian course and was pursued to completion, or as a cadet or
6 midshipman at one of the service academies; except that any person
7 receiving an actual service-incurred injury or disability shall be classed
8 as a veteran, whether or not that person has completed the 90-day
9 service;

10 (4) Lebanon crisis, on or after July 1, 1958, who has served in
11 Lebanon or on board any ship actively engaged in patrolling the
12 territorial waters of that nation for a period, continuous or in the
13 aggregate, of at least 14 days commencing on or before November 1,
14 1958 or the date of termination of that conflict, as proclaimed by the
15 President of the United States or Congress, whichever date of
16 termination is the latest, in such active service; provided, that any
17 person receiving an actual service-incurred injury or disability shall be
18 classed as a veteran whether or not that person has completed the 14
19 days' service as herein provided;

20 (5) Vietnam conflict, on or after December 31, 1960, who shall
21 have served at least 90 days beginning on or before May 7, 1975, in
22 active service, exclusive of any period of assignment for a course of
23 education or training under the Army Specialized Training Program or
24 the Navy College Training Program, which course was a continuation
25 of a civilian course and was pursued to completion, or as a cadet or
26 midshipman at one of the service academies, and exclusive of any
27 service performed pursuant to the provisions of section 511(d) of Title
28 10, United States Code, or exclusive of any service performed
29 pursuant to enlistment in the National Guard or the Army Reserve,
30 Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast
31 Guard Reserve; except that any person receiving an actual
32 service-incurred injury or disability shall be classed as a veteran,
33 whether or not that person has completed the 90-day service as
34 provided;

35 [(5)] (6) Lebanon peacekeeping mission, on or after
36 September 26, 1982, who has served in Lebanon or on board any ship
37 actively engaged in patrolling the territorial waters of that nation for
38 a period, continuous or in the aggregate, of at least 14 days
39 commencing on or before December 1, 1987 or the date of termination
40 of that mission, as proclaimed by the President of the United States or
41 Congress, whichever date of termination is the latest, in such active
42 service; provided, that any person receiving an actual service-incurred
43 injury or disability shall be classed as a veteran whether or not that
44 person has completed the 14 days service as herein provided;

45 [(6)] (7) Grenada peacekeeping mission, on or after October 23,
46 1983, who has served in Grenada or on board any ship actively

1 engaged in patrolling the territorial waters of that nation for a period,
2 continuous or in the aggregate, of at least 14 days commencing on or
3 before November 21, 1983 or the date of termination of that mission,
4 as proclaimed by the President of the United States or Congress,
5 whichever date of termination is the latest, in such active service;
6 provided, that any person receiving an actual service-incurred injury
7 or disability shall be classed as a veteran whether or not that person
8 has completed the 14 days' service as herein provided;

9 ~~[(7)]~~ (8) Panama peacekeeping mission, on or after December 20,
10 1989 or the date of inception of that mission, as proclaimed by the
11 President of the United States or Congress, whichever date of
12 inception is earliest, who has served in Panama or on board any ship
13 actively engaged in patrolling the territorial waters of that nation for
14 a period, continuous or in the aggregate, of at least 14 days
15 commencing on or before January 31, 1990 or the date of termination
16 of that mission, as proclaimed by the President of the United States or
17 Congress, whichever date of termination is the latest, in such active
18 service; provided, that any person receiving an actual service-incurred
19 injury or disability shall be classed as a veteran whether or not that
20 person has completed the 14 days' service as herein provided;

21 ~~[(8)]~~ (9) Operation "Desert Shield/Desert Storm" mission in the
22 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
23 the date of inception of that operation, as proclaimed by the President
24 of the United States or Congress, whichever date of inception is
25 earliest, who has served in the Arabian peninsula or on board any ship
26 actively engaged in patrolling the Persian Gulf for a period, continuous
27 or in the aggregate, of at least 14 days commencing on or before the
28 date of termination of that mission, as proclaimed by the President of
29 the United States, Congress or the Governor, whichever date of
30 termination is the latest, in such active service; provided, that any
31 person receiving an actual service-incurred injury or disability shall be
32 classed as a veteran whether or not that person has completed the
33 14 days' service as herein provided.

34 c. "War service" means service by a veteran in any war or conflict
35 described in this chapter during the periods specified.

36 (cf: P.L.1995, c.406, s.1)

37

38 2. N.J.S.18A:66-2 is amended to read as follows:

39 18A:66-2. As used in this article:

40 a. "Accumulated deductions" means the sum of all the amounts,
41 deducted from the compensation of a member or contributed by or in
42 behalf of the member, including interest credited to January 1, 1956,
43 standing to the credit of the member's individual account in the annuity
44 savings fund.

45 b. "Annuity" means payments for life derived from the accumulated
46 deductions of a member as provided in this article.

- 1 c. "Beneficiary" means any person receiving a retirement allowance
2 or other benefit as provided in this article.
- 3 d. "Compensation" means the contractual salary, for services as a
4 teacher as defined in this article, which is in accordance with
5 established salary policies of the member's employer for all employees
6 in the same position but shall not include individual salary adjustments
7 which are granted primarily in anticipation of the member's retirement
8 or additional remuneration for performing temporary or extracurricular
9 duties beyond the regular school day or the regular school year.
- 10 e. "Employer" means the State, the board of education or any
11 educational institution or agency of or within the State by which a
12 teacher is paid.
- 13 f. "Final compensation" means the average annual compensation
14 for which contributions are made for the three years of creditable
15 service in New Jersey immediately preceding the member's retirement
16 or death, or it shall mean the average annual compensation for New
17 Jersey service for which contributions are made during any three fiscal
18 years of his or her membership providing the largest possible benefit
19 to the member or the member's beneficiary.
- 20 g. "Fiscal year" means any year commencing with July 1, and
21 ending with June 30, next following.
- 22 h. "Pension" means payments for life derived from appropriations
23 made by the State or employers to the Teachers' Pension and Annuity
24 Fund.
- 25 i. "Annuity reserve" means the present value of all payments to be
26 made on account of any annuity or benefit in lieu of an annuity,
27 granted under the provisions of this article, computed on the basis of
28 such mortality tables recommended by the actuary as the board of
29 trustees adopts, with regular interest.
- 30 j. "Pension reserve" means the present value of all payments to be
31 made on account of any pension or benefit in lieu of a pension granted
32 to a member from the Teachers' Pension and Annuity Fund, computed
33 on the basis of such mortality tables recommended by the actuary as
34 the board of trustees adopts, with regular interest.
- 35 k. "Present-entrant" means any member of the Teachers' Pension
36 and Annuity Fund who had established status as a "present-entrant
37 member" of said fund prior to January 1, 1956.
- 38 l. "Rate of contribution initially certified" means the rate of
39 contribution certified by the retirement system in accordance with
40 N.J.S.18A:66-29.
- 41 m. "Regular interest" shall mean interest as determined by the State
42 Treasurer, after consultation with the Directors of the Divisions of
43 Investment and Pensions, the board of trustees and the actuary. It
44 shall bear a reasonable relationship to the percentage rate of earnings
45 on investments based on the market value of assets but shall not
46 exceed the assumed percentage rate of increase applied to salaries plus

1 3%, provided however that the board of trustees shall not set the
2 average percentage rate of increase applied to salaries below 6%.

3 n. "Retirement allowance" means the pension plus the annuity.

4 o. "School service" means any service as a "teacher" as defined in
5 this section.

6 p. "Teacher" means any regular teacher, special teacher, helping
7 teacher, teacher clerk, principal, vice-principal, supervisor, supervising
8 principal, director, superintendent, city superintendent, assistant city
9 superintendent, county superintendent, State Commissioner or
10 Assistant Commissioner of Education, members of the State
11 Department of Education who are certificated, unclassified
12 professional staff and other members of the teaching or professional
13 staff of any class, public school, high school, normal school, model
14 school, training school, vocational school, truant reformatory school,
15 or parental school, and of any and all classes or schools within the
16 State conducted under the order and superintendence, and wholly or
17 partly at the expense of the State Board of Education, of a duly
18 elected or appointed board of education, board of school directors, or
19 board of trustees of the State or of any school district or normal
20 school district thereof, and any persons under contract or engagement
21 to perform one or more of these functions. It shall also mean any
22 person who serves, while on an approved leave of absence from
23 regular duties as a teacher, as an officer of a local, county or State
24 labor organization which represents, or is affiliated with an
25 organization which represents, teachers as defined in this subsection.
26 No person shall be deemed a teacher within the meaning of this article
27 who is a substitute teacher. In all cases of doubt the board of trustees
28 shall determine whether any person is a teacher as defined in this
29 article.

30 q. "Teachers' Pension and Annuity Fund," hereinafter referred to
31 as the "retirement system" or "system," is the corporate name of the
32 arrangement for the payment of retirement allowances and other
33 benefits under the provisions of this article, including the several funds
34 placed under said system. By that name all its business shall be
35 transacted, its funds invested, warrants for money drawn, and
36 payments made and all of its cash and securities and other property
37 held.

38 r. "Veteran" means any honorably discharged officer, soldier,
39 sailor, airman, marine or nurse who served in any Army, Air Force or
40 Navy of the Allies of the United States in World War I between July
41 14, 1914, and November 11, 1918, or who served in any Army, Air
42 Force or Navy of the Allies of the United States in World War II,
43 between September 1, 1939, and September 2, 1945, and who was
44 inducted into such service through voluntary enlistment, and was a
45 citizen of the United States at the time of such enlistment, and who did
46 not, during or by reason of such service, renounce or lose United

1 States citizenship, and any officer, soldier, sailor, marine, airman,
2 nurse or army field clerk who has served in the active military or naval
3 service of the United States and has or shall be discharged or released
4 therefrom under conditions other than dishonorable, in any of the
5 following wars, uprisings, insurrections, expeditions or emergencies,
6 and who has presented to the retirement system evidence of such
7 record of service in form and content satisfactory to said retirement
8 system:

9 (1) The Indian wars and uprisings during any of the periods
10 recognized by the War Department of the United States as periods of
11 active hostility;

12 (2) The Spanish-American War between April 20, 1898, and
13 April 11, 1899;

14 (3) The Philippine insurrections and expeditions during the periods
15 recognized by the War Department of the United States as of active
16 hostility from February 4, 1899, to the end of 1913;

17 (4) The Peking relief expedition between June 20, 1900, and
18 May 27, 1902;

19 (5) The army of Cuban occupation between July 18, 1898, and
20 May 20, 1902;

21 (6) The army of Cuban pacification between October 6, 1906, and
22 April 1, 1909;

23 (7) The Mexican punitive expedition between March 14, 1916, and
24 February 7, 1917;

25 (8) The Mexican border patrol, having actually participated in
26 engagements against Mexicans between April 12, 1911, and June 16,
27 1919;

28 (9) World War I, between April 6, 1917, and November 11, 1918;

29 (10) World War II, between September 16, 1940, and December
30 31, 1946, who shall have served at least 90 days in such active service,
31 exclusive of any period of assignment (1) for a course of education or
32 training under the Army Specialized Training Program or the Navy
33 College Training Program, which course was a continuation of a
34 civilian course and was pursued to completion, or (2) as a cadet or
35 midshipman at one of the service academies, any part of which 90 days
36 was served between said dates; provided that any person receiving an
37 actual service-incurred injury or disability shall be classed as a veteran,
38 whether or not that person has completed the 90-day service as herein
39 provided;

40 (11) Korean conflict on or after June 23, 1950, and on or prior to
41 January 31, 1955, who shall have served at least 90 days in such active
42 service, exclusive of any period of assignment (1) for a course of
43 education or training under the Army Specialized Training Program or
44 the Navy College Training Program, which course was a continuation
45 of a civilian course and was pursued to completion, or (2) as a cadet
46 or midshipman at one of the service academies, any part of which

1 90 days was served between said dates; provided that any person
2 receiving an actual service-incurred injury or disability shall be classed
3 as a veteran, whether or not that person has completed the 90-day
4 service as herein provided; and provided further that any member
5 classed as a veteran pursuant to this subsection prior to August 1,
6 1966, shall continue to be classed as a veteran, whether or not that
7 person completed the 90-day service between said dates as herein
8 provided;

9 (12) Lebanon crisis, on or after July 1, 1958, who has served in
10 Lebanon or on board any ship actively engaged in patrolling the
11 territorial waters of that nation for a period, continuous or in the
12 aggregate, of at least 14 days commencing on or before November 1,
13 1958 or the date of termination of that conflict, as proclaimed by the
14 President of the United States or Congress, whichever date of
15 termination is the latest, in such active service; provided, that any
16 person receiving an actual service-incurred injury or disability shall be
17 classed as a veteran whether or not that person has completed the 14
18 days' service as herein provided;

19 (13) Vietnam conflict, on or after December 31, 1960, and on or
20 prior to May 7, 1975, who shall have served at least 90 days in such
21 active service, exclusive of any period of assignment (1) for a course
22 of education or training under the Army Specialized Training Program
23 or the Navy College Training Program, which course was a
24 continuation of a civilian course and was pursued to completion, or (2)
25 as a cadet or midshipman at one of the service academies, any part of
26 which 90 days was served between said dates; and exclusive of any
27 service performed pursuant to the provisions of section 511(d) of Title
28 10, United States Code, pursuant to an enlistment in the Army
29 National Guard or as a reserve for service in the Army Reserve, Naval
30 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
31 Reserve; provided that any person receiving an actual service-incurred
32 injury or disability shall be classed as a veteran, whether or not that
33 person has completed the 90-day service as herein provided;

34 [(13)] (14) Lebanon peacekeeping mission, on or after
35 September 26, 1982, who has served in Lebanon or on board any ship
36 actively engaged in patrolling the territorial waters of that nation for
37 a period, continuous or in the aggregate, of at least 14 days
38 commencing on or before December 1, 1987 or the date of termination
39 of that mission, as proclaimed by the President of the United States or
40 Congress, whichever date of termination is the latest, in such active
41 service; provided, that any person receiving an actual service-incurred
42 injury or disability shall be classed as a veteran whether or not that
43 person has completed the 14 days' service as herein provided;

44 [(14)] (15) Grenada peacekeeping mission, on or after
45 October 23, 1983, who has served in Grenada or on board any ship
46 actively engaged in patrolling the territorial waters of that nation for

1 a period, continuous or in the aggregate, of at least 14 days
2 commencing on or before November 21, 1983 or the date of
3 termination of that mission, as proclaimed by the President of the
4 United States or Congress, whichever date of termination is the latest,
5 in such active service; provided, that any person receiving an actual
6 service-incurred injury or disability shall be classed as a veteran
7 whether or not that person has completed the 14 days' service as
8 herein provided;

9 [(15)] (16) Panama peacekeeping mission, on or after
10 December 20, 1989 or the date of inception of that mission, as
11 proclaimed by the President of the United States or Congress,
12 whichever date of inception is earliest, who has served in Panama or
13 on board any ship actively engaged in patrolling the territorial waters
14 of that nation for a period, continuous or in the aggregate, of at least
15 14 days commencing on or before January 31, 1990 or the date of
16 termination of that mission, as proclaimed by the President of the
17 United States or Congress, whichever date of termination is the latest,
18 in such active service; provided, that any person receiving an actual
19 service-incurred injury or disability shall be classed as a veteran
20 whether or not that person has completed the 14 days' service as
21 herein provided;

22 [(16)] (17) Operation "Desert Shield/Desert Storm" mission in
23 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
24 or the date of inception of that operation, as proclaimed by the
25 President of the United States or Congress, whichever date of
26 inception is earliest, who has served in the Arabian peninsula or on
27 board any ship actively engaged in patrolling the Persian Gulf for a
28 period, continuous or in the aggregate, of at least 14 days commencing
29 on or before the date of termination of that mission, as proclaimed by
30 the President of the United States, Congress or the Governor,
31 whichever date of termination is the latest, in such active service;
32 provided, that any person receiving an actual service-incurred injury
33 or disability shall be classed as a veteran whether or not that person
34 has completed the 14 days' service as herein provided.

35 "Veteran" also means any honorably discharged member of the
36 American Merchant Marine who served during World War II and is
37 declared by the United States Department of Defense to be eligible for
38 federal veterans' benefits.

39 s. "Child" means a deceased member's unmarried child either (a)
40 under the age of 18 or (b) of any age who, at the time of the member's
41 death, is disabled because of mental retardation or physical incapacity,
42 is unable to do any substantial, gainful work because of the impairment
43 and the impairment has lasted or can be expected to last for a
44 continuous period of not less than 12 months, as affirmed by the
45 medical board.

46 t. "Widower" means the man to whom a member was married at

1 least five years before the date of her death and to whom she
2 continued to be married until the date of her death and who was
3 receiving at least one-half of his support from the member in the
4 12-month period immediately preceding the member's death or the
5 accident which was the direct cause of the member's death. The
6 dependency of such a widower will be considered terminated by
7 marriage of the widower subsequent to the death of the member. In
8 the event of the payment of an accidental death benefit, the five-year
9 qualification shall be waived.

10 u. "Widow" means the woman to whom a member was married at
11 least five years before the date of his death and to whom he continued
12 to be married until the date of his death and who was receiving at least
13 one-half of her support from the member in the 12-month period
14 immediately preceding the member's death or the accident which was
15 the direct cause of the member's death. The dependency of such a
16 widow will be considered terminated by the marriage of the widow
17 subsequent to the member's death. In the event of the payment of an
18 accidental death benefit, the five-year qualification shall be waived.

19 v. "Parent" means the parent of a member who was receiving at
20 least one-half of the parent's support from the member in the 12-month
21 period immediately preceding the member's death or the accident
22 which was the direct cause of the member's death. The dependency of
23 such a parent will be considered terminated by marriage of the parent
24 subsequent to the death of the member.

25 w. "Medical board" means the board of physicians provided for in
26 N.J.S.18A:66-56.

27 (cf: P.L.1995, c.406, s.2)

28

29 3. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read as
30 follows:

31 6. As used in this act:

32 a. "Accumulated deductions" means the sum of all the amounts,
33 deducted from the compensation of a member or contributed by or on
34 behalf of the member, standing to the credit of the member's individual
35 account in the annuity savings fund.

36 b. "Annuity" means payments for life derived from the accumulated
37 deductions of a member as provided in this act.

38 c. "Annuity reserve" means the present value of all payments to be
39 made on account of any annuity or benefit in lieu of an annuity,
40 granted under the provisions of this act, computed on the basis of such
41 mortality tables recommended by the actuary as the board of trustees
42 adopts, with regular interest.

43 d. "Beneficiary" means any person receiving a retirement allowance
44 or other benefit as provided in this act.

45 e. "Child" means a deceased member's unmarried child either (1)
46 under the age of 18 or (2) of any age who, at the time of the member's

1 death, is disabled because of mental retardation or physical incapacity,
2 is unable to do any substantial, gainful work because of the impairment
3 and the impairment has lasted or can be expected to last for a
4 continuous period of not less than 12 months, as affirmed by the
5 medical board.

6 f. "Parent" shall mean the parent of a member who was receiving
7 at least 1/2 of the parent's support from the member in the 12-month
8 period immediately preceding the member's death or the accident
9 which was the direct cause of the member's death. The dependency of
10 such a parent will be considered terminated by marriage of the parent
11 subsequent to the death of the member.

12 g. "Widower" means the man to whom a member was married at
13 least five years before the date of her death and to whom she
14 continued to be married until the date of her death and who was
15 receiving at least 1/2 of his support from the member in the 12-month
16 period immediately preceding the member's death or the accident
17 which was the direct cause of the member's death. The dependency of
18 such a widower will be considered terminated by marriage of the
19 widower subsequent to the death of the member. In the event of the
20 payment of an accidental death benefit, the five-year qualification shall
21 be waived.

22 h. "Final compensation" means the average annual compensation
23 for which contributions are made for the three years of creditable
24 service in New Jersey immediately preceding the member's retirement
25 or death, or it shall mean the average annual compensation for New
26 Jersey service for which contributions are made during any three fiscal
27 years of his or her membership providing the largest possible benefit
28 to the member or the member's beneficiary.

29 i. "Fiscal year" means any year commencing with July 1 and ending
30 with June 30 next following.

31 j. "Medical board" shall mean the board of physicians provided for
32 in section 17 (C.43:15A-17).

33 k. "Pension" means payments for life derived from appropriations
34 made by the employer as provided in this act.

35 l. "Pension reserve" means the present value of all payments to be
36 made on account of any pension or benefit in lieu of a pension granted
37 under the provisions of this act, computed on the basis of such
38 mortality tables recommended by the actuary as the board of trustees
39 adopts, with regular interest.

40 m. "Public Employees' Retirement System of New Jersey,"
41 hereinafter referred to as the "retirement system" or "system," is the
42 corporate name of the arrangement for the payment of retirement
43 allowances and other benefits under the provisions of this act including
44 the several funds placed under said system. By that name all of its
45 business shall be transacted, its funds invested, warrants for money
46 drawn, and payments made and all of its cash and securities and other

1 property held.

2 n. "Regular interest" shall mean interest as determined by the State
3 Treasurer, after consultation with the Directors of the Divisions of
4 Investment and Pensions, the board of trustees and the actuary. It
5 shall bear a reasonable relationship to the percentage rate of earnings
6 on investments based on the market value of the assets but shall not
7 exceed the assumed percentage rate of increase applied to salaries plus
8 3%, provided however that the board of trustees shall not set the
9 average percentage rate of increase applied to salaries below 6%.

10 o. "Retirement allowance" means the pension plus the annuity.

11 p. "Veteran" means any honorably discharged officer, soldier,
12 sailor, airman, marine or nurse who served in any Army, Air Force or
13 Navy of the Allies of the United States in World War I, between
14 July 14, 1914, and November 11, 1918, or who served in any Army,
15 Air Force or Navy of the Allies of the United States in World War II,
16 between September 1, 1939, and September 2, 1945, and who was
17 inducted into such service through voluntary enlistment, and was a
18 citizen of the United States at the time of such enlistment, and who did
19 not, during or by reason of such service, renounce or lose United
20 States citizenship, and any officer, soldier, sailor, marine, airman,
21 nurse or army field clerk, who has served in the active military or naval
22 service of the United States and has or shall be discharged or released
23 therefrom under conditions other than dishonorable, in any of the
24 following wars, uprisings, insurrections, expeditions, or emergencies,
25 and who has presented to the retirement system evidence of such
26 record of service in form and content satisfactory to said retirement
27 system:

28 (1) The Indian wars and uprisings during any of the periods
29 recognized by the War Department of the United States as periods of
30 active hostility;

31 (2) The Spanish-American War between April 20, 1898, and
32 April 11, 1899;

33 (3) The Philippine insurrections and expeditions during the periods
34 recognized by the War Department of the United States as of active
35 hostility from February 4, 1899, to the end of 1913;

36 (4) The Peking relief expedition between June 20, 1900,
37 and May 27, 1902;

38 (5) The army of Cuban occupation between July 18, 1898, and
39 May 20, 1902;

40 (6) The army of Cuban pacification between October 6, 1906, and
41 April 1, 1909;

42 (7) The Mexican punitive expedition between March 14, 1916, and
43 February 7, 1917;

44 (8) The Mexican border patrol, having actually participated in
45 engagements against Mexicans between April 12, 1911, and June 16,
46 1919;

1 (9) World War I, between April 6, 1917, and November 11, 1918;

2 (10) World War II, between September 16, 1940, and
3 December 31, 1946, who shall have served at least 90 days in such
4 active service, exclusive of any period of assignment (1) for a course
5 of education or training under the Army Specialized Training Program
6 or the Navy College Training Program which course was a
7 continuation of a civilian course and was pursued to completion, or (2)
8 as a cadet or midshipman at one of the service academies any part of
9 which 90 days was served between said dates; provided, that any
10 person receiving an actual service-incurred injury or disability shall be
11 classed as a veteran whether or not that person has completed the
12 90-day service as herein provided;

13 (11) Korean conflict on or after June 23, 1950, and on or prior to
14 January 31, 1955, who shall have served at least 90 days in such active
15 service, exclusive of any period of assignment (1) for a course of
16 education or training under the Army Specialized Training Program or
17 the Navy College Training Program which course was a continuation
18 of a civilian course and was pursued to completion, or (2) as a cadet
19 or midshipman at one of the service academies, any part of which
20 90 days was served between said dates; provided, that any person
21 receiving an actual service-incurred injury or disability shall be classed
22 as a veteran whether or not that person has completed the 90-day
23 service as herein provided; and provided further, that any member
24 classed as a veteran pursuant to this paragraph prior to August 1,
25 1966, shall continue to be classed as a veteran whether or not that
26 person completed the 90-day service between said dates as herein
27 provided;

28 (12) Lebanon crisis, on or after July 1, 1958, who has served in
29 Lebanon or on board any ship actively engaged in patrolling the
30 territorial waters of that nation for a period, continuous or in the
31 aggregate, of at least 14 days commencing on or before November 1,
32 1958 or the date of termination of that conflict, as proclaimed by the
33 President of the United States or Congress, whichever date of
34 termination is the latest, in such active service; provided, that any
35 person receiving an actual service-incurred injury or disability shall be
36 classed as a veteran whether or not that person has completed the 14
37 days' service as herein provided;

38 (13) Vietnam conflict on or after December 31, 1960, and on or
39 prior to May 7, 1975, who shall have served at least 90 days in such
40 active service, exclusive of any period of assignment (1) for a course
41 of education or training under the Army Specialized Training Program
42 or the Navy College Training Program which course was a
43 continuation of a civilian course and was pursued to completion, or (2)
44 as a cadet or midshipman at one of the service academies, any part of
45 which 90 days was served between said dates; and exclusive of any
46 service performed pursuant to the provisions of section 511(d) of Title

1 10, United States Code, pursuant to an enlistment in the Army
2 National Guard or as a reserve for service in the Army Reserve, Naval
3 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
4 Reserve; provided, that any person receiving an actual service-incurred
5 injury or disability shall be classed as a veteran whether or not that
6 person has completed the 90 days' service as herein provided;

7 [(13)] (14) Lebanon peacekeeping mission, on or after
8 September 26, 1982, who has served in Lebanon or on board any ship
9 actively engaged in patrolling the territorial waters of that nation for
10 a period, continuous or in the aggregate, of at least 14 days
11 commencing on or before December 1, 1987 or the date of termination
12 of that mission, as proclaimed by the President of the United States or
13 Congress, whichever date of termination is the latest, in such active
14 service; provided, that any person receiving an actual service-incurred
15 injury or disability shall be classed as a veteran whether or not that
16 person has completed the 14 days' service as herein provided;

17 [(14)] (15) Grenada peacekeeping mission, on or after
18 October 23, 1983, who has served in Grenada or on board any ship
19 actively engaged in patrolling the territorial waters of that nation for
20 a period, continuous or in the aggregate, of at least 14 days
21 commencing on or before November 21, 1983 or the date of
22 termination of that mission, as proclaimed by the President of the
23 United States or Congress, whichever date of termination is the latest,
24 in such active service; provided, that any person receiving an actual
25 service-incurred injury or disability shall be classed as a veteran
26 whether or not that person has completed the 14 days' service as
27 herein provided;

28 [(15)] (16) Panama peacekeeping mission, on or after
29 December 20, 1989 or the date of inception of that mission, as
30 proclaimed by the President of the United States or Congress,
31 whichever date of inception is earliest, who has served in Panama or
32 on board any ship actively engaged in patrolling the territorial waters
33 of that nation for a period, continuous or in the aggregate, of at least
34 14 days commencing on or before January 31, 1990 or the date of
35 termination of that mission, as proclaimed by the President of the
36 United States or Congress, whichever date of termination is the latest,
37 in such active service; provided, that any person receiving an actual
38 service-incurred injury or disability shall be classed as a veteran
39 whether or not that person has completed the 14 days' service as
40 herein provided;

41 [(16)] (17) Operation "Desert Shield/Desert Storm" mission in
42 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
43 or the date of inception of that operation, as proclaimed by the
44 President of the United States, Congress or the Governor, whichever
45 date of inception is earliest, who has served in the Arabian peninsula
46 or on board any ship actively engaged in patrolling the Persian Gulf for

1 a period, continuous or in the aggregate, of at least 14 days
2 commencing on or before the date of termination of that mission, as
3 proclaimed by the President of the United States, Congress or the
4 Governor, whichever date of termination is the latest, in such active
5 service; provided, that any person receiving an actual service-incurred
6 injury or disability shall be classed as a veteran whether or not that
7 person has completed the 14 days' service as herein provided.

8 "Veteran" also means any honorably discharged member of the
9 American Merchant Marine who served during World War II and is
10 declared by the United States Department of Defense to be eligible for
11 federal veterans' benefits.

12 q. "Widow" means the woman to whom a member was married at
13 least five years before the date of his death and to whom he continued
14 to be married until the date of his death and who was receiving at least
15 1/2 of her support from the member in the 12-month period
16 immediately preceding the member's death or the accident which was
17 the direct cause of the member's death. The dependency of such a
18 widow will be considered terminated by the marriage of the widow
19 subsequent to the member's death. In the event of the payment of an
20 accidental death benefit, the five-year qualification shall be waived.

21 r. "Compensation" means the base or contractual salary, for
22 services as an employee, which is in accordance with established salary
23 policies of the member's employer for all employees in the same
24 position but shall not include individual salary adjustments which are
25 granted primarily in anticipation of the member's retirement or
26 additional remuneration for performing temporary or extracurricular
27 duties beyond the regular workday or the regular work year. In cases
28 where salary includes maintenance, the retirement system shall fix the
29 value of that part of the salary not paid in money which shall be
30 considered under this act.

31 (cf: P.L.1995, c.406, s.3)

32

33 4. Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is amended to
34 read as follows:

35 1. For purposes of this act "veteran" means any honorably
36 discharged officer, soldier, sailor, airman, marine or nurse who served
37 in any Army, Air Force or Navy of the Allies of the United States in
38 World War I, between July 14, 1914, and November 11, 1918, or who
39 served in any Army, Air Force or Navy of the Allies of the United
40 States in World War II, between September 1, 1939, and
41 September 2, 1945, and who was inducted into such service through
42 voluntary enlistment, and was a citizen of the United States at the time
43 of such enlistment, and who did not, during or by reason of such
44 service, renounce or lose United States citizenship, and any officer,
45 soldier, sailor, marine, airman, nurse or army field clerk, who has
46 served in the active military or naval service of the United States and

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1 has or shall be discharged or released therefrom under conditions other
2 than dishonorable, in any of the following wars, uprisings,
3 insurrections, expeditions, or emergencies, and who has presented to
4 the retirement system evidence of such record of service in form and
5 content satisfactory to said retirement system:

6 (1) The Indian wars and uprisings during any of the periods
7 recognized by the War Department of the United States as periods of
8 active hostility;

9 (2) The Spanish-American War between April 20, 1898, and
10 April 11, 1899;

11 (3) The Philippine insurrections and expeditions during the periods
12 recognized by the War Department of the United States as of active
13 hostility from February 4, 1899, to the end of 1913;

14 (4) The Peking relief expedition between June 20, 1900, and
15 May 27, 1902;

16 (5) The army of Cuban occupation between July 18, 1898, and
17 May 20, 1902;

18 (6) The army of Cuban pacification between October 6, 1906, and
19 April 1, 1909;

20 (7) The Mexican punitive expedition between March 14, 1916, and
21 February 7, 1917;

22 (8) The Mexican border patrol, having actually participated in
23 engagements against Mexicans between April 12, 1911, and June 16,
24 1919;

25 (9) World War I between April 6, 1917, and November 11, 1918;

26 (10) World War II, between September 16, 1940, and
27 December 31, 1946, who shall have served at least 90 days in such
28 active service, exclusive of any period of assignment (1) for a course
29 of education or training under the Army Specialized Training Program
30 or the Navy College Training program which course was a
31 continuation of a civilian course and was pursued to completion, or (2)
32 as a cadet or midshipman at one of the service academies any part of
33 which 90 days was served between said dates; provided, that any
34 person receiving an actual service-incurred injury or disability shall be
35 classed as a veteran whether or not that person has completed the
36 90-day service as herein provided;

37 (11) Korean conflict on or after June 23, 1950, and on or prior to
38 January 31, 1955, who shall have served at least 90 days in such active
39 service, exclusive of any period of assignment (1) for a course of
40 education or training under the Army Specialized Training Program or
41 the Navy College Training Program which course was a continuation
42 of a civilian course and was pursued to completion, or (2) as a cadet
43 or midshipman at one of the service academies, any part of which 90
44 days was served between said dates; provided, that any person
45 receiving an actual service-incurred injury or disability shall be classed
46 as a veteran whether or not that person has completed the 90-day

1 service as herein provided; and provided further, that any member
2 classed as a veteran pursuant to this subparagraph prior to August 1,
3 1966, shall continue to be classed as a veteran whether or not the
4 member completed the 90-day service between said dates as herein
5 provided;

6 (12) Lebanon crisis, on or after July 1, 1958, who has served in
7 Lebanon or on board any ship actively engaged in patrolling the
8 territorial waters of that nation for a period, continuous or in the
9 aggregate, of at least 14 days commencing on or before November 1,
10 1958 or the date of termination of that conflict, as proclaimed by the
11 President of the United States or Congress, whichever date of
12 termination is the latest, in such active service; provided, that any
13 person receiving an actual service-incurred injury or disability shall be
14 classed as a veteran whether or not that person has completed the 14
15 days' service as herein provided;

16 (13) Vietnam conflict on or after December 31, 1960, and on or
17 prior to May 7, 1975, who shall have served at least 90 days in such
18 active service, exclusive of any period of assignment (1) for a course
19 of education or training under the Army Specialized Training Program
20 or the Navy College Training Program which course was a
21 continuation of a civilian course and was pursued to completion, or (2)
22 as a cadet or midshipman at one of the service academies, any part of
23 which 90 days was served between said dates; and exclusive of any
24 service performed pursuant to the provisions of section 511 (d) of
25 Title 10, United States Code, pursuant to an enlistment in the Army
26 National Guard or as a reserve for service in the Army Reserve, Naval
27 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
28 Reserve; provided, that any person receiving an actual service-incurred
29 injury or disability shall be classed as a veteran whether or not that
30 person has completed the 90 days' service as herein provided;

31 [(13)] (14) Lebanon peacekeeping mission, on or after
32 September 26, 1982, who has served in Lebanon or on board any ship
33 actively engaged in patrolling the territorial waters of that nation for
34 a period, continuous or in the aggregate, of at least 14 days
35 commencing on or before December 1, 1987 or the date of termination
36 of that mission, as proclaimed by the President of the United States or
37 Congress, whichever date of termination is the latest, in such active
38 service; provided, that any person receiving an actual service-incurred
39 injury or disability shall be classed as a veteran whether or not that
40 person has completed the 14 days' service as herein provided;

41 [(14)] (15) Grenada peacekeeping mission, on or after
42 October 23, 1983, who has served in Grenada or on board any ship
43 actively engaged in patrolling the territorial waters of that nation for
44 a period, continuous or in the aggregate, of at least 14 days
45 commencing on or before November 21, 1983 or the date of
46 termination of that mission, as proclaimed by the President of the

1 United States or Congress, whichever date of termination is the latest,
2 in such active service; provided, that any person receiving an actual
3 service-incurred injury or disability shall be classed as a veteran
4 whether or not that person has completed the 14 days' service as
5 herein provided;

6 [(15)] (16) Panama peacekeeping mission, on or after
7 December 20, 1989 or the date of inception of that mission, as
8 proclaimed by the President of the United States or Congress,
9 whichever date of inception is earliest, who has served in Panama or
10 on board any ship actively engaged in patrolling the territorial waters
11 of that nation for a period, continuous or in the aggregate, of at least
12 14 days commencing on or before January 31, 1990 or the date of
13 termination of that mission, as proclaimed by the President of the
14 United States or Congress, whichever date of termination is the latest,
15 in such active service; provided, that any person receiving an actual
16 service-incurred injury or disability shall be classed as a veteran
17 whether or not that person has completed the 14 days' service as
18 herein provided;

19 [(16)] (17) Operation "Desert Shield/Desert Storm" mission in
20 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
21 or the date of inception of that operation, as proclaimed by the
22 President of the United States or Congress, whichever date of
23 inception is earliest, who has served in the Arabian peninsula or on
24 board any ship actively engaged in patrolling the Persian Gulf for a
25 period, continuous or in the aggregate, of at least 14 days commencing
26 on or before the date of termination of that mission, as proclaimed by
27 the President of the United States, Congress or the Governor,
28 whichever date of termination is the latest, in such active service;
29 provided, that any person receiving an actual service-incurred injury
30 or disability shall be classed as a veteran whether or not that person
31 has completed the 14 days' service as herein provided.

32 "Veteran" also means any honorably discharged member of the
33 American Merchant Marine who served during World War II and is
34 declared by the United States Department of Defense to be eligible for
35 federal veterans' benefits.

36 (cf: P.L.1995, c.406, s.4)

37

38 5. Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to read
39 as follows:

40 1. (a) "Active service in time of war" means active service at some
41 time during one of the following periods:

42 Operation "Desert Shield/Desert Storm" mission in the Arabian
43 peninsula and the Persian Gulf, on or after August 2, 1990 or the date
44 of inception of that operation, as proclaimed by the President of the
45 United States or Congress, whichever date of inception is earliest, who
46 has served in the Arabian peninsula or on board any ship actively

1 engaged in patrolling the Persian Gulf for a period, continuous or in
2 the aggregate, of at least 14 days commencing on or before the date
3 of termination of that mission, as proclaimed by the President of the
4 United States, Congress or the Governor, whichever date of
5 termination is the latest, in such active service; provided, that any
6 person receiving an actual service-incurred injury or disability shall be
7 classed as a veteran whether or not that person has completed the 14
8 days' service as herein provided;

9 The Panama peacekeeping mission, on or after December 20, 1989
10 or the date of inception of that mission, as proclaimed by the President
11 of the United States or Congress, whichever date of inception is
12 earliest, who has served in Panama or on board any ship actively
13 engaged in patrolling the territorial waters of that nation for a period,
14 continuous or in the aggregate, of at least 14 days commencing on or
15 before January 31, 1990 or the date of termination of that mission, as
16 proclaimed by the President of the United States or Congress,
17 whichever date of termination is the latest, in such active service;
18 provided, that any person receiving an actual service-incurred injury
19 or disability shall be classed as a veteran whether or not that person
20 has completed the 14 days' service as herein provided;

21 The Grenada peacekeeping mission, on or after October 23, 1983,
22 who has served in Grenada or on board any ship actively engaged in
23 patrolling the territorial waters of that nation for a period, continuous
24 or in the aggregate, of at least 14 days commencing on or before
25 November 21, 1983 or the date of termination of that mission as
26 proclaimed by the President of the United States or Congress,
27 whichever date of termination is the latest, in such active service;
28 provided, that any person receiving an actual service-incurred injury
29 or disability shall be classed as a veteran whether or not that person
30 has completed the 14 days' service as herein provided;

31 The Lebanon peacekeeping mission, on or after September 26, 1982,
32 who has served in Lebanon or on board any ship actively engaged in
33 patrolling the territorial waters of that nation for a period, continuous
34 or in the aggregate, of at least 14 days commencing on or before
35 December 1, 1987 or the date of termination of that mission, as
36 proclaimed by the President of the United States or Congress,
37 whichever date of termination is the latest, in such active service;
38 provided, that any person receiving an actual service-incurred injury
39 or disability shall be classed as a veteran whether or not that person
40 has completed the 14 days' service as herein provided;

41 The Vietnam conflict, December 31, 1960, to May 7, 1975;

42 The Lebanon crisis, on or after July 1, 1958, who has served in
43 Lebanon or on board any ship actively engaged in patrolling the
44 territorial waters of that nation for a period, continuous or in the
45 aggregate, of at least 14 days commencing on or before November 1,
46 1958 or the date of termination of that conflict, as proclaimed by the

1 President of the United States or Congress, whichever date of
2 termination is the latest, in such active service; provided, that any
3 person receiving an actual service-incurred injury or disability shall be
4 classed as a veteran whether or not that person has completed the 14
5 days' service as herein provided:

6 The Korean conflict, June 23, 1950 to January 31, 1955;

7 World War II, September 16, 1940 to December 31, 1946;

8 World War I, April 6, 1917 to November 11, 1918, and in the case
9 of service with the United States military forces in Russia, April 6,
10 1917 to April 1, 1920;

11 Spanish-American War, April 21, 1898 to August 13, 1898;

12 Civil War, April 15, 1861 to May 26, 1865; or, as to any
13 subsequent war, during the period from the date of declaration of war
14 to the date on which actual hostilities shall cease.

15 (b) "Assessor" means the assessor, board of assessors or any other
16 official or body of a taxing district charged with the duty of assessing
17 real and personal property for the purpose of general taxation.

18 (c) "Collector" means the collector or receiver of taxes of a taxing
19 district.

20 (d) "Honorably discharged or released under honorable
21 circumstances from active service in time of war," means and includes
22 every form of separation from active, full-time duty with military or
23 naval pay and allowances in some branch of the Armed Forces of the
24 United States in time of war, other than those marked "dishonorable,"
25 "undesirable," "bad conduct," "by sentence of general court martial,"
26 "by sentence of summary court martial" or similar expression
27 indicating that the discharge or release was not under honorable
28 circumstances. A disenrollment certificate or other form of release
29 terminating temporary service in a military or naval branch of the
30 armed forces rendered on a voluntary and part-time basis without pay,
31 or a release from or deferment of induction into the active military or
32 naval service shall not be deemed to be included in the aforementioned
33 phrase.

34 (e) "Pre-tax year" means the particular calendar year immediately
35 preceding the "tax year."

36 (f) "Resident" means one legally domiciled within the State of New
37 Jersey. Mere seasonal or temporary residence within the State, of
38 whatever duration, shall not constitute domicile within the State for
39 the purposes of this act. Absence from this State for a period of
40 12 months shall be prima facie evidence of abandonment of domicile
41 in this State. The burden of establishing legal domicile within the State
42 shall be upon the claimant.

43 (g) "Tax year" means the particular calendar year in which the
44 general property tax is due and payable.

45 (h) "Veteran" means any citizen and resident of this State
46 honorably discharged or released under honorable circumstances from

1 active service in time of war in any branch of the Armed Forces of the
2 United States.

3 (i) "Veteran's deduction" means the deduction against the taxes
4 payable by any person, allowable pursuant to this act.

5 (j) "Surviving spouse" means the surviving wife or husband of any
6 of the following, while he or she is a resident of this State, during
7 widowhood or widowerhood:

8 1. A citizen and resident of this State who has died or shall die
9 while on active duty in time of war in any branch of the Armed Forces
10 of the United States; or

11 2. A citizen and resident of this State who has had or shall
12 hereafter have active service in time of war in any branch of the Armed
13 Forces of the United States and who died or shall die while on active
14 duty in a branch of the Armed Forces of the United States; or

15 3. A citizen and resident of this State who has been or may
16 hereafter be honorably discharged or released under honorable
17 circumstances from active service in time of war in any branch of the
18 Armed Forces of the United States.

19 (k) "Cooperative" means a housing corporation or association
20 incorporated or organized under the laws of New Jersey which entitles
21 a shareholder thereof to possess and occupy for dwelling purposes a
22 house, apartment or other structure owned or leased by the
23 corporation or association;

24 (l) "Mutual housing corporation" means a corporation
25 not-for-profit incorporated under the laws of New Jersey on a mutual
26 or cooperative basis within the scope of section 607 of the "National
27 Defense Housing Act," Pub.L.76-849 (42 U.S.C.1521 et seq.), which
28 acquired a National Defense Housing Project pursuant to that act.
29 (cf: P.L.1995, c.406, s.5)

30

31 6. This act shall take effect immediately.

32

33

STATEMENT

34

35 This bill extends eligibility for certain veterans' benefits to veterans
36 of the Lebanon Crisis of 1958.

37 The bill amends sections of the law to include these veterans in the
38 definition of "veteran" for the purpose of (1) eligibility for civil
39 service preference; (2) eligibility for enhanced benefits in the Teachers'
40 Pension and Annuity Fund (TPAF) and the Public Employees'
41 Retirement System (PERS); (3) purchasing service credit for military
42 service by members of the Police and Firemen's Retirement System
43 (PFRS); and (4) eligibility for the annual veterans' personal property
44 tax deduction.

45 This bill sets the inception and termination dates for the Lebanon
46 Crisis to those recognized by the United States Department of Defense
47 for this operation.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1330

STATE OF NEW JERSEY

DATED: JANUARY 24, 2000

The Assembly State Government Committee reports favorably Assembly, No. 1330.

This bill extends eligibility for certain veterans' benefits to veterans of the Lebanon Crisis of 1958.

Specifically, the bill defines as a veteran any person who has served in Lebanon on or after July 1, 1958 or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 1, 1958 or the date of termination of that conflict, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service. Any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service provided by the bill.

The benefits such a person would be eligible for include absolute civil service preference under Title 11A of the New Jersey Statutes, a veteran's retirement allowance under the Teachers' Pension and Annuity Fund (TPAF) or the Public Employees' Retirement System (PERS), and the purchase of additional military service credit in the Police and Firemen's Retirement System (PFRS), TPAF and PERS. An eligible person would also be entitled to the annual personal property tax exemption provided for by Article VIII of the New Jersey Constitution.

The inception and termination dates for the Lebanon Crisis in the bill are those recognized by the United States Department of Defense for this operation.

This bill was prefiled for introduction in the 2000-2001 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1330

STATE OF NEW JERSEY

DATED: JANUARY 27, 2000

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1330.

Assembly Bill No. 1330 (1R) extends eligibility for certain veterans' benefits to veterans of the Lebanon Crisis of 1958.

The bill amends five sections of the law: the definition of "veteran" for the purpose of eligibility for civil service preference; the definition of "veteran" for the purpose of eligibility for enhanced benefits in the Teachers' Pension and Annuity Fund (TPAF) and the Public Employees' Retirement System (PERS) and for the purpose of purchasing service credit for military service by members of the Police and Firemen's Retirement System (PFRS); and the definition of "veteran" for the purpose of eligibility for the annual veterans' personal property tax deduction. This bill sets the inception and termination dates for the Lebanon Crisis to those recognized by the U.S. Department of Defense for this operation.

FISCAL IMPACT:

In the Legislative fiscal estimate to the identical bill last session, the Office of Legislative Services (OLS) noted that it could not estimate the additional cost of this legislation due to a lack of available information to indicate the number of individuals who might qualify for these additional benefits. The OLS believes that, because of the small number of personnel involved in the Lebanon Crisis, the number of eligible individuals will not be very large.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 1330
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: February 17, 2000

SUMMARY

Synopsis: Expands certain veterans' benefits to certain participants in the Lebanon Crisis of 1958.

Type of Impact: Potential State expenditure increase, General Fund and Property Tax Relief Fund; Potential local expenditure increase.

Agencies Affected: Department of Treasury, Department of Personnel, Municipal Tax Assessors.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	indeterminate -but believed to be minimal see comments below.		
State Revenue	n/a	n/a	n/a
Local Cost	indeterminate -but believed to be minimal see comments below.		
Local Revenue	n/a	n/a	n/a

! Provides civil service preference for public employment. This should result in little or no additional cost.

! Potential for increased costs to State and local governments for enhanced pension benefits.
Total cost depends on number of additional qualifying veterans, which cannot be determined at this time.

! Increased State costs to offset local property tax deduction, currently at \$100. *Total cost depends on number of additional qualifying veterans, which cannot be determined at this time.*

BILL DESCRIPTION

Assembly Bill No. 1330 of 2000 expands eligibility for certain State benefits to include individuals engaged in active military service in Lebanon or its territorial waters during the Lebanon Crisis of 1958. The bill amends the definition of veteran in five statutes to provide eligibility for (1) civil service preferences; (2) enhanced benefits and purchase of service credit in the Teachers' Pension and Annuity Fund (TPAF) and the Public Employees' Retirement System (PERS); (3) the purchase of service credit in the Police and Firemen's Retirement System (PFRS); and (4) an annual veterans' property tax deduction (currently \$100, increasing to \$250 by FY 2003).

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services cannot estimate additional costs resulting from this proposed legislation because information regarding the number of individuals who might qualify for these additional benefits is not available. However, due to the small number of personnel involved in Lebanon during this four month period in 1958, it is believed that the overall cost to the State would not be significant.

The cost for each qualifying person would vary, depending on their status as a State, county, or municipal employee or eligible homeowner. Retiring veterans, for example, who are members of PERS receive 50 percent of their highest compensation level upon reaching age 62 with 20 or more years of service. Non-veteran members of PERS at age 62 with 20 years of service would receive 33 percent of their *average 3 years'* highest compensation level. However, the benefits for veterans and non-veterans become more equivalent with additional service time.

It should be noted that the description of a veteran in other sections of New Jersey law already makes these individuals eligible for other State benefits, such as nursing care at the State veterans' nursing homes and burial in the Brigadier General Doyle Veterans' Memorial Cemetery. No additional costs in these areas would be incurred as a result of the proposed legislation.

Section: *State Government*

Analyst: *Julie M. McDonnell*
Senior Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

ASSEMBLY, No. 1330

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman ALAN M. AUGUSTINE

District 22 (Middlesex, Morris, Somerset and Union)

Assemblyman JOSEPH AZZOLINA

District 13 (Middlesex and Monmouth)

Co-Sponsored by:

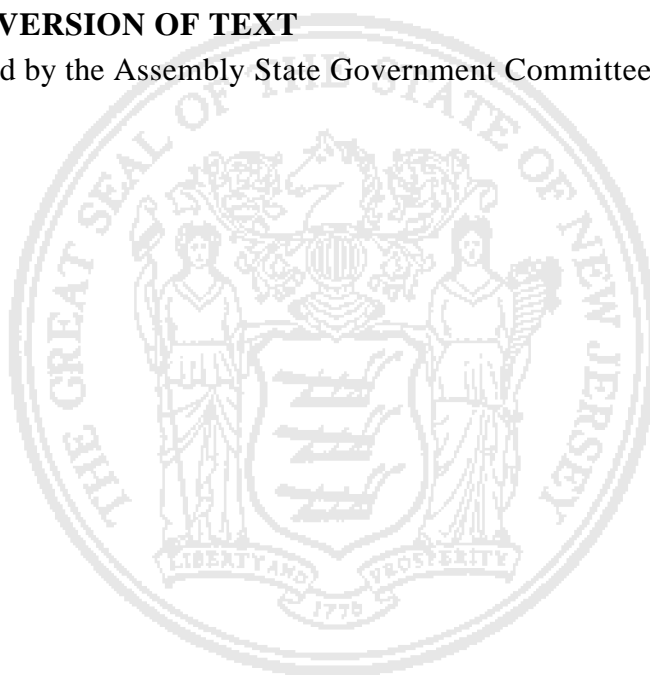
Assemblywoman Heck, Assemblymen Thompson, Bateman and Gregg

SYNOPSIS

Expands certain veterans' benefits to certain participants in the Lebanon Crisis of 1958.

CURRENT VERSION OF TEXT

As reported by the Assembly State Government Committee with technical review.



(Sponsorship Updated As Of: 2/25/2000)

1 AN ACT concerning the qualification of certain persons as veterans for
2 certain purposes and amending various parts of the statutory law.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. N.J.S.11A:5-1 is amended to read as follows:

8 11A:5-1. Definitions. As used in this chapter:

9 a. "Disabled veteran" means any veteran who is eligible to be
10 compensated for a service-connected disability from war service by the
11 United States Veterans Administration or who receives or is entitled
12 to receive equivalent compensation for a service-connected disability
13 which arises out of military or naval service as set forth in this chapter
14 and who has submitted sufficient evidence of the record of disability
15 incurred in the line of duty to the commissioner on or before the
16 closing date for filing an application for an examination;

17 b. "Veteran" means any honorably discharged soldier, sailor,
18 marine or nurse who served in any army or navy of the allies of the
19 United States in World War I, between July 14, 1914 and November
20 11, 1918, or who served in any army or navy of the allies of the United
21 States in World War II, between September 1, 1939 and September 2,
22 1945 and who was inducted into that service through voluntary
23 enlistment, and was a citizen of the United States at the time of the
24 enlistment, and who did not renounce or lose his or her United States
25 citizenship; or any soldier, sailor, marine, airman, nurse or army field
26 clerk, who has served in the active military or naval service of the
27 United States and has been discharged or released under other than
28 dishonorable conditions from that service in any of the following wars
29 or conflicts and who has presented to the commissioner sufficient
30 evidence of the record of service on or before the closing date for
31 filing an application for an examination:

32 (1) World War I, between April 6, 1917 and November 11, 1918;

33 (2) World War II, on or after September 16, 1940, who shall have
34 served at least 90 days beginning on or before December 31, 1946 in
35 such active service, exclusive of any period of assignment for a course
36 of education or training under the Army Specialized Training Program
37 or the Navy College Training Program, which course was a
38 continuation of a civilian course and was pursued to completion, or as
39 a cadet or midshipman at one of the service academies; except that any
40 person receiving an actual service-incurred injury or disability shall be
41 classed a veteran whether or not that person has completed the 90-day
42 service;

43 (3) Korean conflict, on or after June 23, 1950, who shall have

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 served at least 90 days beginning on or before January 31, 1955, in
2 active service, exclusive of any period of assignment for a course of
3 education or training under the Army Specialized Training Program or
4 the Navy College Training Program, which course was a continuation
5 of a civilian course and was pursued to completion, or as a cadet or
6 midshipman at one of the service academies; except that any person
7 receiving an actual service-incurred injury or disability shall be classed
8 as a veteran, whether or not that person has completed the 90-day
9 service;

10 (4) Lebanon crisis, on or after July 1, 1958, who has served in
11 Lebanon or on board any ship actively engaged in patrolling the
12 territorial waters of that nation for a period, continuous or in the
13 aggregate, of at least 14 days commencing on or before November 1,
14 1958 or the date of termination of that conflict, as proclaimed by the
15 President of the United States or Congress, whichever date of
16 termination is the latest, in such active service; provided, that any
17 person receiving an actual service-incurred injury or disability shall be
18 classed as a veteran whether or not that person has completed the 14
19 days' service as herein provided;

20 (5) Vietnam conflict, on or after December 31, 1960, who shall
21 have served at least 90 days beginning on or before May 7, 1975, in
22 active service, exclusive of any period of assignment for a course of
23 education or training under the Army Specialized Training Program or
24 the Navy College Training Program, which course was a continuation
25 of a civilian course and was pursued to completion, or as a cadet or
26 midshipman at one of the service academies, and exclusive of any
27 service performed pursuant to the provisions of section 511(d) of Title
28 10, United States Code, or exclusive of any service performed
29 pursuant to enlistment in the National Guard or the Army Reserve,
30 Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast
31 Guard Reserve; except that any person receiving an actual
32 service-incurred injury or disability shall be classed as a veteran,
33 whether or not that person has completed the 90-day service as
34 provided;

35 [(5)] (6) Lebanon peacekeeping mission, on or after September 26,
36 1982, who has served in Lebanon or on board any ship actively
37 engaged in patrolling the territorial waters of that nation for a period,
38 continuous or in the aggregate, of at least 14 days commencing on or
39 before December 1, 1987 or the date of termination of that mission, as
40 proclaimed by the President of the United States or Congress,
41 whichever date of termination is the latest, in such active service;
42 provided, that any person receiving an actual service-incurred injury
43 or disability shall be classed as a veteran whether or not that person
44 has completed the 14 days' service as herein provided;

45 [(6)] (7) Grenada peacekeeping mission, on or after October 23,
46 1983, who has served in Grenada or on board any ship actively

1 engaged in patrolling the territorial waters of that nation for a period,
2 continuous or in the aggregate, of at least 14 days commencing on or
3 before November 21, 1983 or the date of termination of that mission,
4 as proclaimed by the President of the United States or Congress,
5 whichever date of termination is the latest, in such active service;
6 provided, that any person receiving an actual service-incurred injury
7 or disability shall be classed as a veteran whether or not that person
8 has completed the 14 days' service as herein provided;

9 **[(7)] (8)** Panama peacekeeping mission, on or after December 20,
10 1989 or the date of inception of that mission, as proclaimed by the
11 President of the United States or Congress, whichever date of
12 inception is earliest, who has served in Panama or on board any ship
13 actively engaged in patrolling the territorial waters of that nation for
14 a period, continuous or in the aggregate, of at least 14 days
15 commencing on or before January 31, 1990 or the date of termination
16 of that mission, as proclaimed by the President of the United States or
17 Congress, whichever date of termination is the latest, in such active
18 service; provided, that any person receiving an actual service-incurred
19 injury or disability shall be classed as a veteran whether or not that
20 person has completed the 14 days' service as herein provided;

21 **[(8)] (9)** Operation "Desert Shield/Desert Storm" mission in the
22 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
23 the date of inception of that operation, as proclaimed by the President
24 of the United States or Congress, whichever date of inception is
25 earliest, who has served in the Arabian peninsula or on board any ship
26 actively engaged in patrolling the Persian Gulf for a period, continuous
27 or in the aggregate, of at least 14 days commencing on or before the
28 date of termination of that mission, as proclaimed by the President of
29 the United States or Congress, whichever date of termination is the
30 latest, in such active service; provided, that any person receiving an
31 actual service-incurred injury or disability shall be classed as a veteran
32 whether or not that person has completed the 14 days' service as
33 herein provided;

34 **[(9)] (10)** Operation "Restore Hope" in Somalia, commencing on
35 or after December 5, 1992, or the date of inception of that operation
36 as proclaimed by the President of the United States or the Congress,
37 whichever date is earliest, and terminating on March 31, 1994, or the
38 date of termination as proclaimed by the President of the United States
39 or the Congress, whichever date is latest, who served for at least 14
40 days, continuously or in the aggregate, in Somalia or on board any
41 ship actively engaged in patrolling the territorial waters of that nation
42 during the specified period; provided that any person receiving an
43 actual service-incurred injury or disability shall be classed as a veteran
44 whether or not that person has completed the 14-day service as herein
45 provided; and

46 **[(10)] (11)** Operations "Joint Endeavor" and "Joint Guard" in the

1 Republic of Bosnia and Herzegovina, commencing on or after
2 November 20, 1995 or December 20, 1996, as the case may be, and
3 terminating on December 20, 1996 or on such date as the United
4 States Secretary of Defense may designate, as the case may be, who
5 served in direct support of one or both of the operations for at least 14
6 days, continuously or in the aggregate, and (1) was deployed in that
7 nation or in another area in the region, or (2) was on board a United
8 States naval vessel operating in the Adriatic Sea, or (3) operated in
9 airspace above the Republic of Bosnia and Herzegovina; provided that
10 any person receiving an actual service-incurred injury or disability shall
11 be classed as a veteran whether or not that person completed the
12 14-day service requirement;

13 c. "War service" means service by a veteran in any war or conflict
14 described in this chapter during the periods specified.

15 (cf: P.L.1998, c.49, s.1)

16

17 2. N.J.S.18A:66-2 is amended to read as follows:

18 18A:66-2. As used in this article:

19 a. "Accumulated deductions" means the sum of all the amounts,
20 deducted from the compensation of a member or contributed by or in
21 behalf of the member, including interest credited to January 1, 1956,
22 standing to the credit of the member's individual account in the annuity
23 savings fund.

24 b. "Annuity" means payments for life derived from the accumulated
25 deductions of a member as provided in this article.

26 c. "Beneficiary" means any person receiving a retirement allowance
27 or other benefit as provided in this article.

28 d. "Compensation" means the contractual salary, for services as a
29 teacher as defined in this article, which is in accordance with
30 established salary policies of the member's employer for all employees
31 in the same position but shall not include individual salary adjustments
32 which are granted primarily in anticipation of the member's retirement
33 or additional remuneration for performing temporary or extracurricular
34 duties beyond the regular school day or the regular school year.

35 e. "Employer" means the State, the board of education or any
36 educational institution or agency of or within the State by which a
37 teacher is paid.

38 f. "Final compensation" means the average annual compensation
39 for which contributions are made for the three years of creditable
40 service in New Jersey immediately preceding the member's retirement
41 or death, or it shall mean the average annual compensation for New
42 Jersey service for which contributions are made during any three fiscal
43 years of his or her membership providing the largest possible benefit
44 to the member or the member's beneficiary.

45 g. "Fiscal year" means any year commencing with July 1, and
46 ending with June 30, next following.

- 1 h. "Pension" means payments for life derived from appropriations
2 made by the State or employers to the Teachers' Pension and Annuity
3 Fund.
- 4 i. "Annuity reserve" means the present value of all payments to be
5 made on account of any annuity or benefit in lieu of an annuity,
6 granted under the provisions of this article, computed on the basis of
7 such mortality tables recommended by the actuary as the board of
8 trustees adopts, with regular interest.
- 9 j. "Pension reserve" means the present value of all payments to be
10 made on account of any pension or benefit in lieu of a pension granted
11 to a member from the Teachers' Pension and Annuity Fund, computed
12 on the basis of such mortality tables recommended by the actuary as
13 the board of trustees adopts, with regular interest.
- 14 k. "Present-entrant" means any member of the Teachers' Pension
15 and Annuity Fund who had established status as a "present-entrant
16 member" of said fund prior to January 1, 1956.
- 17 l. "Rate of contribution initially certified" means the rate of
18 contribution certified by the retirement system in accordance with
19 N.J.S.18A:66-29.
- 20 m. "Regular interest" shall mean interest as determined by the State
21 Treasurer, after consultation with the Directors of the Divisions of
22 Investment and Pensions, the board of trustees and the actuary. It
23 shall bear a reasonable relationship to the percentage rate of earnings
24 on investments based on the market value of assets but shall not
25 exceed the assumed percentage rate of increase applied to salaries plus
26 3%, provided however that the board of trustees shall not set the
27 average percentage rate of increase applied to salaries below 6%.
- 28 n. "Retirement allowance" means the pension plus the annuity.
- 29 o. "School service" means any service as a "teacher" as defined in
30 this section.
- 31 p. "Teacher" means any regular teacher, special teacher, helping
32 teacher, teacher clerk, principal, vice-principal, supervisor, supervising
33 principal, director, superintendent, city superintendent, assistant city
34 superintendent, county superintendent, State Commissioner or
35 Assistant Commissioner of Education, members of the State
36 Department of Education who are certificated, unclassified
37 professional staff and other members of the teaching or professional
38 staff of any class, public school, high school, normal school, model
39 school, training school, vocational school, truant reformatory school,
40 or parental school, and of any and all classes or schools within the
41 State conducted under the order and superintendence, and wholly or
42 partly at the expense of the State Board of Education, of a duly
43 elected or appointed board of education, board of school directors, or
44 board of trustees of the State or of any school district or normal
45 school district thereof, and any persons under contract or engagement
46 to perform one or more of these functions. It shall also mean any

1 person who serves, while on an approved leave of absence from
2 regular duties as a teacher, as an officer of a local, county or State
3 labor organization which represents, or is affiliated with an
4 organization which represents, teachers as defined in this subsection.
5 No person shall be deemed a teacher within the meaning of this article
6 who is a substitute teacher. In all cases of doubt the board of trustees
7 shall determine whether any person is a teacher as defined in this
8 article.

9 q. "Teachers' Pension and Annuity Fund," hereinafter referred to
10 as the "retirement system" or "system," is the corporate name of the
11 arrangement for the payment of retirement allowances and other
12 benefits under the provisions of this article, including the several funds
13 placed under said system. By that name all its business shall be
14 transacted, its funds invested, warrants for money drawn, and
15 payments made and all of its cash and securities and other property
16 held.

17 r. "Veteran" means any honorably discharged officer, soldier,
18 sailor, airman, marine or nurse who served in any Army, Air Force or
19 Navy of the Allies of the United States in World War I between July
20 14, 1914, and November 11, 1918, or who served in any Army, Air
21 Force or Navy of the Allies of the United States in World War II,
22 between September 1, 1939, and September 2, 1945, and who was
23 inducted into such service through voluntary enlistment, and was a
24 citizen of the United States at the time of such enlistment, and who did
25 not, during or by reason of such service, renounce or lose United
26 States citizenship, and any officer, soldier, sailor, marine, airman,
27 nurse or army field clerk who has served in the active military or naval
28 service of the United States and has or shall be discharged or released
29 therefrom under conditions other than dishonorable, in any of the
30 following wars, uprisings, insurrections, expeditions or emergencies,
31 and who has presented to the retirement system evidence of such
32 record of service in form and content satisfactory to said retirement
33 system:

34 (1) The Indian wars and uprisings during any of the periods
35 recognized by the War Department of the United States as periods of
36 active hostility;

37 (2) The Spanish-American War between April 20, 1898, and
38 April 11, 1899;

39 (3) The Philippine insurrections and expeditions during the periods
40 recognized by the War Department of the United States as of active
41 hostility from February 4, 1899, to the end of 1913;

42 (4) The Peking relief expedition between June 20, 1900, and
43 May 27, 1902;

44 (5) The army of Cuban occupation between July 18, 1898, and
45 May 20, 1902;

46 (6) The army of Cuban pacification between October 6, 1906, and

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8

1 April 1, 1909;

2 (7) The Mexican punitive expedition between March 14, 1916, and
3 February 7, 1917;

4 (8) The Mexican border patrol, having actually participated in
5 engagements against Mexicans between April 12, 1911, and June 16,
6 1919;

7 (9) World War I, between April 6, 1917, and November 11, 1918;

8 (10) World War II, between September 16, 1940, and December
9 31, 1946, who shall have served at least 90 days in such active service,
10 exclusive of any period of assignment (1) for a course of education or
11 training under the Army Specialized Training Program or the Navy
12 College Training Program, which course was a continuation of a
13 civilian course and was pursued to completion, or (2) as a cadet or
14 midshipman at one of the service academies, any part of which 90 days
15 was served between said dates; provided that any person receiving an
16 actual service-incurred injury or disability shall be classed as a veteran,
17 whether or not that person has completed the 90-day service as herein
18 provided;

19 (11) Korean conflict on or after June 23, 1950, and on or prior to
20 January 31, 1955, who shall have served at least 90 days in such active
21 service, exclusive of any period of assignment (1) for a course of
22 education or training under the Army Specialized Training Program or
23 the Navy College Training Program, which course was a continuation
24 of a civilian course and was pursued to completion, or (2) as a cadet
25 or midshipman at one of the service academies, any part of which
26 90 days was served between said dates; provided that any person
27 receiving an actual service-incurred injury or disability shall be classed
28 as a veteran, whether or not that person has completed the 90-day
29 service as herein provided; and provided further that any member
30 classed as a veteran pursuant to this subsection prior to August 1,
31 1966, shall continue to be classed as a veteran, whether or not that
32 person completed the 90-day service between said dates as herein
33 provided;

34 (12) Lebanon crisis, on or after July 1, 1958, who has served in
35 Lebanon or on board any ship actively engaged in patrolling the
36 territorial waters of that nation for a period, continuous or in the
37 aggregate, of at least 14 days commencing on or before November 1,
38 1958 or the date of termination of that conflict, as proclaimed by the
39 President of the United States or Congress, whichever date of
40 termination is the latest, in such active service; provided, that any
41 person receiving an actual service-incurred injury or disability shall be
42 classed as a veteran whether or not that person has completed the 14
43 days' service as herein provided;

44 (13) Vietnam conflict, on or after December 31, 1960, and on or
45 prior to May 7, 1975, who shall have served at least 90 days in such
46 active service, exclusive of any period of assignment (1) for a course

1 of education or training under the Army Specialized Training Program
2 or the Navy College Training Program, which course was a
3 continuation of a civilian course and was pursued to completion, or (2)
4 as a cadet or midshipman at one of the service academies, any part of
5 which 90 days was served between said dates; and exclusive of any
6 service performed pursuant to the provisions of section 511(d) of Title
7 10, United States Code, pursuant to an enlistment in the Army
8 National Guard or as a reserve for service in the Army Reserve, Naval
9 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
10 Reserve; provided that any person receiving an actual service-incurred
11 injury or disability shall be classed as a veteran, whether or not that
12 person has completed the 90-day service as herein provided;

13 [(13)] (14) Lebanon peacekeeping mission, on or after
14 September 26, 1982, who has served in Lebanon or on board any ship
15 actively engaged in patrolling the territorial waters of that nation for
16 a period, continuous or in the aggregate, of at least 14 days
17 commencing on or before December 1, 1987 or the date of termination
18 of that mission, as proclaimed by the President of the United States or
19 Congress, whichever date of termination is the latest, in such active
20 service; provided, that any person receiving an actual service-incurred
21 injury or disability shall be classed as a veteran whether or not that
22 person has completed the 14 days' service as herein provided;

23 [(14)] (15) Grenada peacekeeping mission, on or after
24 October 23, 1983, who has served in Grenada or on board any ship
25 actively engaged in patrolling the territorial waters of that nation for
26 a period, continuous or in the aggregate, of at least 14 days
27 commencing on or before November 21, 1983 or the date of
28 termination of that mission, as proclaimed by the President of the
29 United States or Congress, whichever date of termination is the latest,
30 in such active service; provided, that any person receiving an actual
31 service-incurred injury or disability shall be classed as a veteran
32 whether or not that person has completed the 14 days' service as
33 herein provided;

34 [(15)] (16) Panama peacekeeping mission, on or after
35 December 20, 1989 or the date of inception of that mission, as
36 proclaimed by the President of the United States or Congress,
37 whichever date of inception is earliest, who has served in Panama or
38 on board any ship actively engaged in patrolling the territorial waters
39 of that nation for a period, continuous or in the aggregate, of at least
40 14 days commencing on or before January 31, 1990 or the date of
41 termination of that mission, as proclaimed by the President of the
42 United States or Congress, whichever date of termination is the latest,
43 in such active service; provided, that any person receiving an actual
44 service-incurred injury or disability shall be classed as a veteran
45 whether or not that person has completed the 14 days' service as
46 herein provided;

1 [(16)] (17) Operation "Desert Shield/Desert Storm" mission in
2 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
3 or the date of inception of that operation, as proclaimed by the
4 President of the United States or Congress, whichever date of
5 inception is earliest, who has served in the Arabian peninsula or on
6 board any ship actively engaged in patrolling the Persian Gulf for a
7 period, continuous or in the aggregate, of at least 14 days commencing
8 on or before the date of termination of that mission, as proclaimed by
9 the President of the United States, Congress or the Governor,
10 whichever date of termination is the latest, in such active service;
11 provided, that any person receiving an actual service-incurred injury
12 or disability shall be classed as a veteran whether or not that person
13 has completed the 14 days' service as herein provided.

14 "Veteran" also means any honorably discharged member of the
15 American Merchant Marine who served during World War II and is
16 declared by the United States Department of Defense to be eligible for
17 federal veterans' benefits.

18 s. "Child" means a deceased member's unmarried child either (a)
19 under the age of 18 or (b) of any age who, at the time of the member's
20 death, is disabled because of mental retardation or physical incapacity,
21 is unable to do any substantial, gainful work because of the impairment
22 and the impairment has lasted or can be expected to last for a
23 continuous period of not less than 12 months, as affirmed by the
24 medical board.

25 t. "Widower" means the man to whom a member was married at
26 least five years before the date of her death and to whom she
27 continued to be married until the date of her death and who was
28 receiving at least one-half of his support from the member in the
29 12-month period immediately preceding the member's death or the
30 accident which was the direct cause of the member's death. The
31 dependency of such a widower will be considered terminated by
32 marriage of the widower subsequent to the death of the member. In
33 the event of the payment of an accidental death benefit, the five-year
34 qualification shall be waived.

35 u. "Widow" means the woman to whom a member was married at
36 least five years before the date of his death and to whom he continued
37 to be married until the date of his death and who was receiving at least
38 one-half of her support from the member in the 12-month period
39 immediately preceding the member's death or the accident which was
40 the direct cause of the member's death. The dependency of such a
41 widow will be considered terminated by the marriage of the widow
42 subsequent to the member's death. In the event of the payment of an
43 accidental death benefit, the five-year qualification shall be waived.

44 v. "Parent" means the parent of a member who was receiving at
45 least one-half of the parent's support from the member in the 12-month
46 period immediately preceding the member's death or the accident

1 which was the direct cause of the member's death. The dependency of
2 such a parent will be considered terminated by marriage of the parent
3 subsequent to the death of the member.

4 w. "Medical board" means the board of physicians provided for in
5 N.J.S.18A:66-56.

6 (cf: P.L.1995, c.406, s.2)

7

8 3. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read as
9 follows:

10 6. As used in this act:

11 a. "Accumulated deductions" means the sum of all the amounts,
12 deducted from the compensation of a member or contributed by or on
13 behalf of the member, standing to the credit of the member's individual
14 account in the annuity savings fund.

15 b. "Annuity" means payments for life derived from the accumulated
16 deductions of a member as provided in this act.

17 c. "Annuity reserve" means the present value of all payments to be
18 made on account of any annuity or benefit in lieu of an annuity,
19 granted under the provisions of this act, computed on the basis of such
20 mortality tables recommended by the actuary as the board of trustees
21 adopts, with regular interest.

22 d. "Beneficiary" means any person receiving a retirement allowance
23 or other benefit as provided in this act.

24 e. "Child" means a deceased member's unmarried child either (1)
25 under the age of 18 or (2) of any age who, at the time of the member's
26 death, is disabled because of mental retardation or physical incapacity,
27 is unable to do any substantial, gainful work because of the impairment
28 and the impairment has lasted or can be expected to last for a
29 continuous period of not less than 12 months, as affirmed by the
30 medical board.

31 f. "Parent" shall mean the parent of a member who was receiving
32 at least 1/2 of the parent's support from the member in the 12-month
33 period immediately preceding the member's death or the accident
34 which was the direct cause of the member's death. The dependency of
35 such a parent will be considered terminated by marriage of the parent
36 subsequent to the death of the member.

37 g. "Widower" means the man to whom a member was married at
38 least five years before the date of her death and to whom she
39 continued to be married until the date of her death and who was
40 receiving at least 1/2 of his support from the member in the 12-month
41 period immediately preceding the member's death or the accident
42 which was the direct cause of the member's death. The dependency of
43 such a widower will be considered terminated by marriage of the
44 widower subsequent to the death of the member. In the event of the
45 payment of an accidental death benefit, the five-year qualification shall
46 be waived.

- 1 h. "Final compensation" means the average annual compensation
2 for which contributions are made for the three years of creditable
3 service in New Jersey immediately preceding the member's retirement
4 or death, or it shall mean the average annual compensation for New
5 Jersey service for which contributions are made during any three fiscal
6 years of his or her membership providing the largest possible benefit
7 to the member or the member's beneficiary.
- 8 i. "Fiscal year" means any year commencing with July 1 and ending
9 with June 30 next following.
- 10 j. "Medical board" shall mean the board of physicians provided for
11 in section 17 (C.43:15A-17).
- 12 k. "Pension" means payments for life derived from appropriations
13 made by the employer as provided in this act.
- 14 l. "Pension reserve" means the present value of all payments to be
15 made on account of any pension or benefit in lieu of a pension granted
16 under the provisions of this act, computed on the basis of such
17 mortality tables recommended by the actuary as the board of trustees
18 adopts, with regular interest.
- 19 m. "Public Employees' Retirement System of New Jersey,"
20 hereinafter referred to as the "retirement system" or "system," is the
21 corporate name of the arrangement for the payment of retirement
22 allowances and other benefits under the provisions of this act including
23 the several funds placed under said system. By that name all of its
24 business shall be transacted, its funds invested, warrants for money
25 drawn, and payments made and all of its cash and securities and other
26 property held.
- 27 n. "Regular interest" shall mean interest as determined by the State
28 Treasurer, after consultation with the Directors of the Divisions of
29 Investment and Pensions, the board of trustees and the actuary. It
30 shall bear a reasonable relationship to the percentage rate of earnings
31 on investments based on the market value of the assets but shall not
32 exceed the assumed percentage rate of increase applied to salaries plus
33 3%, provided however that the board of trustees shall not set the
34 average percentage rate of increase applied to salaries below 6%.
- 35 o. "Retirement allowance" means the pension plus the annuity.
- 36 p. "Veteran" means any honorably discharged officer, soldier,
37 sailor, airman, marine or nurse who served in any Army, Air Force or
38 Navy of the Allies of the United States in World War I, between
39 July 14, 1914, and November 11, 1918, or who served in any Army,
40 Air Force or Navy of the Allies of the United States in World War II,
41 between September 1, 1939, and September 2, 1945, and who was
42 inducted into such service through voluntary enlistment, and was a
43 citizen of the United States at the time of such enlistment, and who did
44 not, during or by reason of such service, renounce or lose United
45 States citizenship, and any officer, soldier, sailor, marine, airman,
46 nurse or army field clerk, who has served in the active military or naval

1 service of the United States and has or shall be discharged or released
2 therefrom under conditions other than dishonorable, in any of the
3 following wars, uprisings, insurrections, expeditions, or emergencies,
4 and who has presented to the retirement system evidence of such
5 record of service in form and content satisfactory to said retirement
6 system:

7 (1) The Indian wars and uprisings during any of the periods
8 recognized by the War Department of the United States as periods of
9 active hostility;

10 (2) The Spanish-American War between April 20, 1898, and
11 April 11, 1899;

12 (3) The Philippine insurrections and expeditions during the periods
13 recognized by the War Department of the United States as of active
14 hostility from February 4, 1899, to the end of 1913;

15 (4) The Peking relief expedition between June 20, 1900,
16 and May 27, 1902;

17 (5) The army of Cuban occupation between July 18, 1898, and
18 May 20, 1902;

19 (6) The army of Cuban pacification between October 6, 1906, and
20 April 1, 1909;

21 (7) The Mexican punitive expedition between March 14, 1916, and
22 February 7, 1917;

23 (8) The Mexican border patrol, having actually participated in
24 engagements against Mexicans between April 12, 1911, and June 16,
25 1919;

26 (9) World War I, between April 6, 1917, and November 11, 1918;

27 (10) World War II, between September 16, 1940, and
28 December 31, 1946, who shall have served at least 90 days in such
29 active service, exclusive of any period of assignment (1) for a course
30 of education or training under the Army Specialized Training Program
31 or the Navy College Training Program which course was a
32 continuation of a civilian course and was pursued to completion, or (2)
33 as a cadet or midshipman at one of the service academies any part of
34 which 90 days was served between said dates; provided, that any
35 person receiving an actual service-incurred injury or disability shall be
36 classed as a veteran whether or not that person has completed the
37 90-day service as herein provided;

38 (11) Korean conflict on or after June 23, 1950, and on or prior to
39 January 31, 1955, who shall have served at least 90 days in such active
40 service, exclusive of any period of assignment (1) for a course of
41 education or training under the Army Specialized Training Program or
42 the Navy College Training Program which course was a continuation
43 of a civilian course and was pursued to completion, or (2) as a cadet
44 or midshipman at one of the service academies, any part of which
45 90 days was served between said dates; provided, that any person
46 receiving an actual service-incurred injury or disability shall be classed

1 as a veteran whether or not that person has completed the 90-day
2 service as herein provided; and provided further, that any member
3 classed as a veteran pursuant to this paragraph prior to August 1,
4 1966, shall continue to be classed as a veteran whether or not that
5 person completed the 90-day service between said dates as herein
6 provided;

7 (12) Lebanon crisis, on or after July 1, 1958, who has served in
8 Lebanon or on board any ship actively engaged in patrolling the
9 territorial waters of that nation for a period, continuous or in the
10 aggregate, of at least 14 days commencing on or before November 1,
11 1958 or the date of termination of that conflict, as proclaimed by the
12 President of the United States or Congress, whichever date of
13 termination is the latest, in such active service; provided, that any
14 person receiving an actual service-incurred injury or disability shall be
15 classed as a veteran whether or not that person has completed the 14
16 days' service as herein provided;

17 (13) Vietnam conflict on or after December 31, 1960, and on or
18 prior to May 7, 1975, who shall have served at least 90 days in such
19 active service, exclusive of any period of assignment (1) for a course
20 of education or training under the Army Specialized Training Program
21 or the Navy College Training Program which course was a
22 continuation of a civilian course and was pursued to completion, or (2)
23 as a cadet or midshipman at one of the service academies, any part of
24 which 90 days was served between said dates; and exclusive of any
25 service performed pursuant to the provisions of section 511(d) of Title
26 10, United States Code, pursuant to an enlistment in the Army
27 National Guard or as a reserve for service in the Army Reserve, Naval
28 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
29 Reserve; provided, that any person receiving an actual service-incurred
30 injury or disability shall be classed as a veteran whether or not that
31 person has completed the 90 days' service as herein provided;

32 [(13)] (14) Lebanon peacekeeping mission, on or after
33 September 26, 1982, who has served in Lebanon or on board any ship
34 actively engaged in patrolling the territorial waters of that nation for
35 a period, continuous or in the aggregate, of at least 14 days
36 commencing on or before December 1, 1987 or the date of termination
37 of that mission, as proclaimed by the President of the United States or
38 Congress, whichever date of termination is the latest, in such active
39 service; provided, that any person receiving an actual service-incurred
40 injury or disability shall be classed as a veteran whether or not that
41 person has completed the 14 days' service as herein provided;

42 [(14)] (15) Grenada peacekeeping mission, on or after
43 October 23, 1983, who has served in Grenada or on board any ship
44 actively engaged in patrolling the territorial waters of that nation for
45 a period, continuous or in the aggregate, of at least 14 days
46 commencing on or before November 21, 1983 or the date of

1 termination of that mission, as proclaimed by the President of the
2 United States or Congress, whichever date of termination is the latest,
3 in such active service; provided, that any person receiving an actual
4 service-incurred injury or disability shall be classed as a veteran
5 whether or not that person has completed the 14 days' service as
6 herein provided;

7 ~~[(15)]~~ (16) Panama peacekeeping mission, on or after
8 December 20, 1989 or the date of inception of that mission, as
9 proclaimed by the President of the United States or Congress,
10 whichever date of inception is earliest, who has served in Panama or
11 on board any ship actively engaged in patrolling the territorial waters
12 of that nation for a period, continuous or in the aggregate, of at least
13 14 days commencing on or before January 31, 1990 or the date of
14 termination of that mission, as proclaimed by the President of the
15 United States or Congress, whichever date of termination is the latest,
16 in such active service; provided, that any person receiving an actual
17 service-incurred injury or disability shall be classed as a veteran
18 whether or not that person has completed the 14 days' service as
19 herein provided;

20 ~~[(16)]~~ (17) Operation "Desert Shield/Desert Storm" mission in
21 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
22 or the date of inception of that operation, as proclaimed by the
23 President of the United States, Congress or the Governor, whichever
24 date of inception is earliest, who has served in the Arabian peninsula
25 or on board any ship actively engaged in patrolling the Persian Gulf for
26 a period, continuous or in the aggregate, of at least 14 days
27 commencing on or before the date of termination of that mission, as
28 proclaimed by the President of the United States, Congress or the
29 Governor, whichever date of termination is the latest, in such active
30 service; provided, that any person receiving an actual service-incurred
31 injury or disability shall be classed as a veteran whether or not that
32 person has completed the 14 days' service as herein provided.

33 "Veteran" also means any honorably discharged member of the
34 American Merchant Marine who served during World War II and is
35 declared by the United States Department of Defense to be eligible for
36 federal veterans' benefits.

37 q. "Widow" means the woman to whom a member was married at
38 least five years before the date of his death and to whom he continued
39 to be married until the date of his death and who was receiving at least
40 1/2 of her support from the member in the 12-month period
41 immediately preceding the member's death or the accident which was
42 the direct cause of the member's death. The dependency of such a
43 widow will be considered terminated by the marriage of the widow
44 subsequent to the member's death. In the event of the payment of an
45 accidental death benefit, the five-year qualification shall be waived.

46 r. "Compensation" means the base or contractual salary, for

1 services as an employee, which is in accordance with established salary
2 policies of the member's employer for all employees in the same
3 position but shall not include individual salary adjustments which are
4 granted primarily in anticipation of the member's retirement or
5 additional remuneration for performing temporary or extracurricular
6 duties beyond the regular workday or the regular work year. In cases
7 where salary includes maintenance, the retirement system shall fix the
8 value of that part of the salary not paid in money which shall be
9 considered under this act.

10 (cf: P.L.1995, c.406, s.3)

11

12 4. Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is amended to
13 read as follows:

14 1. For purposes of this act "veteran" means any honorably
15 discharged officer, soldier, sailor, airman, marine or nurse who served
16 in any Army, Air Force or Navy of the Allies of the United States in
17 World War I, between July 14, 1914, and November 11, 1918, or who
18 served in any Army, Air Force or Navy of the Allies of the United
19 States in World War II, between September 1, 1939, and
20 September 2, 1945, and who was inducted into such service through
21 voluntary enlistment, and was a citizen of the United States at the time
22 of such enlistment, and who did not, during or by reason of such
23 service, renounce or lose United States citizenship, and any officer,
24 soldier, sailor, marine, airman, nurse or army field clerk, who has
25 served in the active military or naval service of the United States and
26 has or shall be discharged or released therefrom under conditions other
27 than dishonorable, in any of the following wars, uprisings,
28 insurrections, expeditions, or emergencies, and who has presented to
29 the retirement system evidence of such record of service in form and
30 content satisfactory to said retirement system:

31 (1) The Indian wars and uprisings during any of the periods
32 recognized by the War Department of the United States as periods of
33 active hostility;

34 (2) The Spanish-American War between April 20, 1898, and
35 April 11, 1899;

36 (3) The Philippine insurrections and expeditions during the periods
37 recognized by the War Department of the United States as of active
38 hostility from February 4, 1899, to the end of 1913;

39 (4) The Peking relief expedition between June 20, 1900, and
40 May 27, 1902;

41 (5) The army of Cuban occupation between July 18, 1898, and
42 May 20, 1902;

43 (6) The army of Cuban pacification between October 6, 1906, and
44 April 1, 1909;

45 (7) The Mexican punitive expedition between March 14, 1916, and
46 February 7, 1917;

1 (8) The Mexican border patrol, having actually participated in
2 engagements against Mexicans between April 12, 1911, and June 16,
3 1919;

4 (9) World War I between April 6, 1917, and November 11, 1918;

5 (10) World War II, between September 16, 1940, and
6 December 31, 1946, who shall have served at least 90 days in such
7 active service, exclusive of any period of assignment (1) for a course
8 of education or training under the Army Specialized Training Program
9 or the Navy College Training program which course was a
10 continuation of a civilian course and was pursued to completion, or (2)
11 as a cadet or midshipman at one of the service academies any part of
12 which 90 days was served between said dates; provided, that any
13 person receiving an actual service-incurred injury or disability shall be
14 classed as a veteran whether or not that person has completed the
15 90-day service as herein provided;

16 (11) Korean conflict on or after June 23, 1950, and on or prior to
17 January 31, 1955, who shall have served at least 90 days in such active
18 service, exclusive of any period of assignment (1) for a course of
19 education or training under the Army Specialized Training Program or
20 the Navy College Training Program which course was a continuation
21 of a civilian course and was pursued to completion, or (2) as a cadet
22 or midshipman at one of the service academies, any part of which 90
23 days was served between said dates; provided, that any person
24 receiving an actual service-incurred injury or disability shall be classed
25 as a veteran whether or not that person has completed the 90-day
26 service as herein provided; and provided further, that any member
27 classed as a veteran pursuant to this subparagraph prior to August 1,
28 1966, shall continue to be classed as a veteran whether or not the
29 member completed the 90-day service between said dates as herein
30 provided;

31 (12) Lebanon crisis, on or after July 1, 1958, who has served in
32 Lebanon or on board any ship actively engaged in patrolling the
33 territorial waters of that nation for a period, continuous or in the
34 aggregate, of at least 14 days commencing on or before November 1,
35 1958 or the date of termination of that conflict, as proclaimed by the
36 President of the United States or Congress, whichever date of
37 termination is the latest, in such active service; provided, that any
38 person receiving an actual service-incurred injury or disability shall be
39 classed as a veteran whether or not that person has completed the 14
40 days' service as herein provided;

41 (13) Vietnam conflict on or after December 31, 1960, and on or
42 prior to May 7, 1975, who shall have served at least 90 days in such
43 active service, exclusive of any period of assignment (1) for a course
44 of education or training under the Army Specialized Training Program
45 or the Navy College Training Program which course was a
46 continuation of a civilian course and was pursued to completion, or (2)

1 as a cadet or midshipman at one of the service academies, any part of
2 which 90 days was served between said dates; and exclusive of any
3 service performed pursuant to the provisions of section 511 (d) of
4 Title 10, United States Code, pursuant to an enlistment in the Army
5 National Guard or as a reserve for service in the Army Reserve, Naval
6 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
7 Reserve; provided, that any person receiving an actual service-incurred
8 injury or disability shall be classed as a veteran whether or not that
9 person has completed the 90 days' service as herein provided;

10 [(13)] (14) Lebanon peacekeeping mission, on or after
11 September 26, 1982, who has served in Lebanon or on board any ship
12 actively engaged in patrolling the territorial waters of that nation for
13 a period, continuous or in the aggregate, of at least 14 days
14 commencing on or before December 1, 1987 or the date of termination
15 of that mission, as proclaimed by the President of the United States or
16 Congress, whichever date of termination is the latest, in such active
17 service; provided, that any person receiving an actual service-incurred
18 injury or disability shall be classed as a veteran whether or not that
19 person has completed the 14 days' service as herein provided;

20 [(14)] (15) Grenada peacekeeping mission, on or after
21 October 23, 1983, who has served in Grenada or on board any ship
22 actively engaged in patrolling the territorial waters of that nation for
23 a period, continuous or in the aggregate, of at least 14 days
24 commencing on or before November 21, 1983 or the date of
25 termination of that mission, as proclaimed by the President of the
26 United States or Congress, whichever date of termination is the latest,
27 in such active service; provided, that any person receiving an actual
28 service-incurred injury or disability shall be classed as a veteran
29 whether or not that person has completed the 14 days' service as
30 herein provided;

31 [(15)] (16) Panama peacekeeping mission, on or after
32 December 20, 1989 or the date of inception of that mission, as
33 proclaimed by the President of the United States or Congress,
34 whichever date of inception is earliest, who has served in Panama or
35 on board any ship actively engaged in patrolling the territorial waters
36 of that nation for a period, continuous or in the aggregate, of at least
37 14 days commencing on or before January 31, 1990 or the date of
38 termination of that mission, as proclaimed by the President of the
39 United States or Congress, whichever date of termination is the latest,
40 in such active service; provided, that any person receiving an actual
41 service-incurred injury or disability shall be classed as a veteran
42 whether or not that person has completed the 14 days' service as
43 herein provided;

44 [(16)] (17) Operation "Desert Shield/Desert Storm" mission in
45 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
46 or the date of inception of that operation, as proclaimed by the

1 President of the United States or Congress, whichever date of
2 inception is earliest, who has served in the Arabian peninsula or on
3 board any ship actively engaged in patrolling the Persian Gulf for a
4 period, continuous or in the aggregate, of at least 14 days commencing
5 on or before the date of termination of that mission, as proclaimed by
6 the President of the United States, Congress or the Governor,
7 whichever date of termination is the latest, in such active service;
8 provided, that any person receiving an actual service-incurred injury
9 or disability shall be classed as a veteran whether or not that person
10 has completed the 14 days' service as herein provided.

11 "Veteran" also means any honorably discharged member of the
12 American Merchant Marine who served during World War II and is
13 declared by the United States Department of Defense to be eligible for
14 federal veterans' benefits.

15 (cf: P.L.1995, c.406, s.4)

16

17 5. Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to read
18 as follows:

19 1. (a) "Active service in time of war" means active service at some
20 time during one of the following periods:

21 Operation "Restore Hope" in Somalia, commencing on or after
22 December 5, 1992, or the date of inception of that operation as
23 proclaimed by the President of the United States or the Congress,
24 whichever date is earliest, and terminating on March 31, 1994, or the
25 date of termination as proclaimed by the President of the United States
26 or the Congress, whichever date is latest, who served for at least 14
27 days, continuously or in the aggregate, in Somalia or on board any
28 ship actively engaged in patrolling the territorial waters of that nation
29 during the specified period; provided that any person receiving an
30 actual service-incurred injury or disability shall be classed as a veteran
31 whether or not that person has completed the 14-day service as herein
32 provided;

33 Operations "Joint Endeavor" and "Joint Guard" in the Republic of
34 Bosnia and Herzegovina, commencing on or after November 20, 1995
35 or December 20, 1996, as the case may be, and terminating on
36 December 20, 1996 or on such date as the United States Secretary of
37 Defense may designate, as the case may be, who served in direct
38 support of one or both of the operations for at least 14 days,
39 continuously or in the aggregate, and (1) was deployed in that nation
40 or in another area in the region, or (2) was on board a United States
41 naval vessel operating in the Adriatic Sea, or (3) operated in airspace
42 above the Republic of Bosnia and Herzegovina; provided that any
43 person receiving an actual service-incurred injury or disability shall be
44 classed as a veteran whether or not that person completed the 14-day
45 service requirement;

46 Operation "Desert Shield/Desert Storm" mission in the Arabian

1 peninsula and the Persian Gulf, on or after August 2, 1990 or the date
2 of inception of that operation, as proclaimed by the President of the
3 United States or Congress, whichever date of inception is earliest, who
4 has served in the Arabian peninsula or on board any ship actively
5 engaged in patrolling the Persian Gulf for a period, continuous or in
6 the aggregate, of at least 14 days commencing on or before the date
7 of termination of that mission, as proclaimed by the President of the
8 United States or Congress, whichever date of termination is the latest,
9 in such active service; provided, that any person receiving an actual
10 service-incurred injury or disability shall be classed as a veteran
11 whether or not that person has completed the 14 days' service as
12 herein provided;

13 The Panama peacekeeping mission, on or after December 20, 1989
14 or the date of inception of that mission, as proclaimed by the President
15 of the United States or Congress, whichever date of inception is
16 earliest, who has served in Panama or on board any ship actively
17 engaged in patrolling the territorial waters of that nation for a period,
18 continuous or in the aggregate, of at least 14 days commencing on or
19 before January 31, 1990 or the date of termination of that mission, as
20 proclaimed by the President of the United States or Congress,
21 whichever date of termination is the latest, in such active service;
22 provided, that any person receiving an actual service-incurred injury
23 or disability shall be classed as a veteran whether or not that person
24 has completed the 14 days' service as herein provided;

25 The Grenada peacekeeping mission, on or after October 23, 1983,
26 who has served in Grenada or on board any ship actively engaged in
27 patrolling the territorial waters of that nation for a period, continuous
28 or in the aggregate, of at least 14 days commencing on or before
29 November 21, 1983 or the date of termination of that mission as
30 proclaimed by the President of the United States or Congress,
31 whichever date of termination is the latest, in such active service;
32 provided, that any person receiving an actual service-incurred injury
33 or disability shall be classed as a veteran whether or not that person
34 has completed the 14 days' service as herein provided;

35 The Lebanon peacekeeping mission, on or after September 26, 1982,
36 who has served in Lebanon or on board any ship actively engaged in
37 patrolling the territorial waters of that nation for a period, continuous
38 or in the aggregate, of at least 14 days commencing on or before
39 December 1, 1987 or the date of termination of that mission, as
40 proclaimed by the President of the United States or Congress,
41 whichever date of termination is the latest, in such active service;
42 provided, that any person receiving an actual service-incurred injury
43 or disability shall be classed as a veteran whether or not that person
44 has completed the 14 days' service as herein provided;

45 The Vietnam conflict, December 31, 1960, to May 7, 1975;

46 The Lebanon crisis, on or after July 1, 1958, who has served in

1 Lebanon or on board any ship actively engaged in patrolling the
2 territorial waters of that nation for a period, continuous or in the
3 aggregate, of at least 14 days commencing on or before November 1,
4 1958 or the date of termination of that conflict, as proclaimed by the
5 President of the United States or Congress, whichever date of
6 termination is the latest, in such active service; provided, that any
7 person receiving an actual service-incurred injury or disability shall be
8 classed as a veteran whether or not that person has completed the 14
9 days' service as herein provided:

10 The Korean conflict, June 23, 1950 to January 31, 1955;

11 World War II, September 16, 1940 to December 31, 1946;

12 World War I, April 6, 1917 to November 11, 1918, and in the case
13 of service with the United States military forces in Russia, April 6,
14 1917 to April 1, 1920;

15 Spanish-American War, April 21, 1898 to August 13, 1898;

16 Civil War, April 15, 1861 to May 26, 1865; or, as to any
17 subsequent war, during the period from the date of declaration of war
18 to the date on which actual hostilities shall cease.

19 (b) "Assessor" means the assessor, board of assessors or any other
20 official or body of a taxing district charged with the duty of assessing
21 real and personal property for the purpose of general taxation.

22 (c) "Collector" means the collector or receiver of taxes of a taxing
23 district.

24 (d) "Honorably discharged or released under honorable
25 circumstances from active service in time of war," means and includes
26 every form of separation from active, full-time duty with military or
27 naval pay and allowances in some branch of the Armed Forces of the
28 United States in time of war, other than those marked "dishonorable,"
29 "undesirable," "bad conduct," "by sentence of general court martial,"
30 "by sentence of summary court martial" or similar expression
31 indicating that the discharge or release was not under honorable
32 circumstances. A disenrollment certificate or other form of release
33 terminating temporary service in a military or naval branch of the
34 armed forces rendered on a voluntary and part-time basis without pay,
35 or a release from or deferment of induction into the active military or
36 naval service shall not be deemed to be included in the aforementioned
37 phrase.

38 (e) "Pre-tax year" means the particular calendar year immediately
39 preceding the "tax year."

40 (f) "Resident" means one legally domiciled within the State of New
41 Jersey. Mere seasonal or temporary residence within the State, of
42 whatever duration, shall not constitute domicile within the State for
43 the purposes of this act. Absence from this State for a period of 12
44 months shall be prima facie evidence of abandonment of domicile in
45 this State. The burden of establishing legal domicile within the State
46 shall be upon the claimant.

47 (g) "Tax year" means the particular calendar year in which the

1 general property tax is due and payable.

2 (h) "Veteran" means any citizen and resident of this State
3 honorably discharged or released under honorable circumstances from
4 active service in time of war in any branch of the Armed Forces of the
5 United States.

6 (i) "Veteran's deduction" means the deduction against the taxes
7 payable by any person, allowable pursuant to this act.

8 (j) "Surviving spouse" means the surviving wife or husband of any
9 of the following, while he or she is a resident of this State, during
10 widowhood or widowerhood:

11 1. A citizen and resident of this State who has died or shall die
12 while on active duty in time of war in any branch of the Armed Forces
13 of the United States; or

14 2. A citizen and resident of this State who has had or shall
15 hereafter have active service in time of war in any branch of the Armed
16 Forces of the United States and who died or shall die while on active
17 duty in a branch of the Armed Forces of the United States; or

18 3. A citizen and resident of this State who has been or may
19 hereafter be honorably discharged or released under honorable
20 circumstances from active service in time of war in any branch of the
21 Armed Forces of the United States.

22 (k) "Cooperative" means a housing corporation or association
23 incorporated or organized under the laws of New Jersey which entitles
24 a shareholder thereof to possess and occupy for dwelling purposes a
25 house, apartment or other structure owned or leased by the
26 corporation or association.

27 (l) "Mutual housing corporation" means a corporation
28 not-for-profit incorporated under the laws of New Jersey on a mutual
29 or cooperative basis within the scope of section 607 of the "National
30 Defense Housing Act," Pub.L.76-849 (42 U.S.C.s.1521 et seq.), which
31 acquired a National Defense Housing Project pursuant to that act.

32 (cf: P.L.1998, c.49, s.2)

33

34 6. This act shall take effect immediately.

SENATE SENIOR CITIZENS, VETERANS' AFFAIRS AND
HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1330

STATE OF NEW JERSEY

DATED: JUNE 15, 2000

The Senate Senior Citizens, Veterans' Affairs and Human Services Committee reports favorably Assembly Bill No. 1330.

This bill extends eligibility for certain veterans' benefits to veterans of the Lebanon Crisis of 1958.

The bill amends five sections of the law: the definition of "veteran" for the purpose of eligibility for civil service preference; the definition of "veteran" for the purpose of eligibility for enhanced benefits in the Teachers' Pension and Annuity Fund (TPAF) and the Public Employees' Retirement System (PERS) and for the purpose of purchasing service credit for military service by members of the Police and Firemen's Retirement System (PFRS); and the definition of "veteran" for the purpose of eligibility for the annual veterans' personal property tax deduction. Specifically, the bill defines as a veteran any person who has served in Lebanon on or after July 1, 1958 or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 1, 1958 or the date of termination of that conflict, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service. Any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service provided by the bill.

This bill sets the inception and termination dates for the Lebanon Crisis to those recognized by the U.S. Department of Defense for this operation.

In the Legislative fiscal estimate, the Office of Legislative Services (OLS) noted that it could not estimate the additional cost of this legislation due to a lack of available information to indicate the number of individuals who might qualify for these additional benefits. The OLS believes that, because of the small number of personnel involved in the Lebanon Crisis, the number of eligible individuals will not be very large.

FISCAL NOTE
ASSEMBLY, No. 1330
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: FEBRUARY 15, 2001

SUMMARY

Synopsis: Expands certain veterans' benefits to certain participants in the Lebanon Crisis of 1958.

Type of Impact: State Expenditure Increase, General Fund and Property Tax Relief Fund; Local Expenditure Increase.

Agencies Affected: Department of Treasury, Department of Personnel; Municipal Tax Assessors.

Executive Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost*	\$200,000	\$0	\$75,000
Local Cost*	\$0	\$0	\$62,000

* For PERS and TPAF pension benefits only.

- ! The Office of Legislative Services (OLS) **concurs** with the Executive Estimate, but notes that the estimate is only for the enhanced retirement benefits provided by the bill.
- ! Bill defines veteran for several statutory benefits to include person who served in the Lebanon Crisis of 1958.
- ! Increases costs to State and local governments for enhanced retirement benefits. Total cost depends on number of additional qualifying veterans, which the Executive Estimate calculates to be approximately 47 State employee veterans in PERS, 105 local government employee veterans in PERS, and 28 teacher veterans in TPAF.
- ! Provides civil service preference for public employment. OLS estimates that this should result in little or no additional State cost.
- ! Increases State costs to offset local veterans property tax deduction, currently \$150, and creates potential increase in local costs for property tax exemption available to severely disabled veterans. OLS estimates these additional costs, based on the estimated number of additional qualifying veterans, would be minimal.

BILL DESCRIPTION

Assembly Bill No. 1330 of 2000 extends eligibility for certain veterans' benefits to veterans who served in the Armed Forces of the United States in the Lebanon Crisis of 1958.

Specifically, the bill defines as a veteran any person who has served in the Lebanon crisis, on or after July 1, 1958, who has served in Lebanon or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 1, 1958 or the date of termination of that conflict, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as provided in the bill.

The bill amends the definition of veteran in five statutes to provide eligibility for (1) civil service preference; (2) enhanced retirement benefits and purchase of service credit in the Teachers' Pension and Annuity Fund (TPAF) and the Public Employees' Retirement System (PERS); (3) the purchase of service credit in the Police and Firemen's Retirement System (PFRS); and (4) an annual veterans' property tax deduction (currently \$100, increasing to \$250 by FY 2003) or exemption (for severely disabled persons).

FISCAL ANALYSIS

EXECUTIVE BRANCH

The Department of Treasury has provided an estimate only for the additional cost of the enhanced PERS and TPAF retirement benefits proposed by the bill (sections 2 and 3); the department notes that other costs may result from the bill's enactment. The department estimates additional pension costs, which will become payable in the second fiscal year following enactment of the bill, will be \$75,000 for the State and \$62,000 for local government employers, for a total of \$137,000. (There is a two year lag from the date additional pension liabilities are valued to the date they are actually billed.) Pension costs are anticipated to increase by 5.95 percent for each subsequent year. The additional pension liability estimates are based on the 1999 Actuarial Valuation Reports for the PERS and the TPAF.

The estimated number of members qualifying as veterans under this bill is approximately 47 State employee veterans in PERS, 105 local government employee veterans in PERS, and 28 teacher veterans in TPAF. These numbers were derived by the department using the total population of Armed Forces personnel deployed for the named conflict and then calculating the percentage from New Jersey and the percentage in public employment.

The Department of Treasury also estimates that in the initial year of implementation, the Division of Pensions and Benefits will incur implementation costs of \$200,000, \$100,000 for materials and supplies and \$100,000 for data processing.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services concurs with the Executive Estimate, but notes that the OLS knows of no federal or State statistics that provide specific numbers for veterans in New Jersey who would qualify under the provisions of this bill. Therefore, the OLS cannot confirm

or dispute the accuracy of the number of veterans used by the department in its calculation. However, the OLS believes that the number of qualifying veterans will be less than that estimated by the department given the scope of the named conflict and the number of years that have past since its end, so the fiscal impact may be fairly insignificant. In addition, the OLS notes that the administrative costs of the Division of Pensions and Benefits (estimated for this bill to be \$200,000 for the first year of implementation) are paid through assessments on the pensions systems administered by the division, not from the State General Fund.

Additionally, the bill could impact State costs for the provision of veterans' civil service preference in public employment. The OLS estimates that this impact should result in little or no additional State cost.

State costs would increase to offset the local property tax deduction available to veterans, currently \$150, and there may be a potential increase in local costs for property tax exemption available to severely disabled veterans. The OLS estimates these additional costs, based on the estimated number of additional qualifying veterans, would be minimal.

Finally, because the bill does not provide a funding source other than the property tax for the potential additional costs that local government employers will realize as a result of this bill, the bill may be considered an unfunded State mandate unless enacted in accordance with the procedure set forth in the State Constitution for the enactment of such bills.

Section: *State Government*

Analyst: *Shaun P. Ferguson*
Assistant Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This fiscal note has been prepared pursuant to P.L.1980, c.67.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1330

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 15, 2001

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 1330.

This bill extends eligibility for various State veterans' benefits to certain persons who served on active duty in the U.S. Armed Forces during the Lebanon Crisis of 1958.

The benefits for which those acquiring "veteran" status under the bill could qualify are: (1) civil service appointment and promotional preference in employment with the State or with other government employers operating under New Jersey's civil service law, (2) the special veterans' retirement allowance under the Teachers' Pension and Annuity Fund (TPAF) and the Public Employees' Retirement System (PERS), (3) the right of members of the Police and Firemen's Retirement System (PFRS) to purchase pension credit for military service; and (4) the annual veterans' personal property tax deduction.

The persons upon whom the bill confers "veteran" status are those who served in Lebanon on or after July 1, 1958 or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 1, 1958 or the official date of termination of that conflict. These inception and termination dates for the Lebanon Crisis are those recognized by the U.S. Department of Defense for this operation.

Any person otherwise qualifying for veteran status under the bill who received an actual service-incurred injury or disability is to be classed as a veteran whether or not that person completed the 14 days' service requirement.

The provisions of this bill, as amended, are identical to those of Senate Bill No. 1894 (1R), which the committee also reports this day.

COMMITTEE AMENDMENTS:

Committee amendments to the bill (1) provide that the State shall be liable for any increased cost to local employers resulting from the extension of eligibility for PERS veterans' retirement benefits to additional public employees, and (2) correct the text of one of the bill's amendatory sections to reflect the current version of the law.

FISCAL IMPACT:

Pensions. The Department of the Treasury estimates that the expansion of eligibility for veterans' retirement benefits will result in additional annual pension costs of \$137,000, payable beginning with the second fiscal year following enactment of the bill and rising at an estimated rate of 5.95 percent in each succeeding year. Under the amendments, the State will be liable for the full amount of these costs. The additional pension liability estimate is based on the 1999 Actuarial Valuation Reports for the PERS and the TPAF. The department projects the number of persons qualifying as veterans under the bill to include roughly 47 State employee veterans in PERS, 105 local government employee veterans in PERS, and 28 teacher veterans in TPAF. The department derived its figures using the total population of Armed Forces personnel deployed for the named conflict and then calculating the percentage from New Jersey and the percentage in public employment.

The Office of Legislative Services (OLS) believes that the number of qualifying veterans will be smaller than that estimated by the department, given the scope of the named conflict and the number of years that have past since its conclusion, so that the fiscal impact may be somewhat less than Treasury projects.

Civil service preference. The OLS notes that the impact of the bill on veterans' civil service preference in public employment is simply to alter the eligibility of candidates for employment or promotion in the classified career service, and that expansion of the preference group under the legislation should result in little or no additional State cost.

Property tax deduction. State costs would increase to offset the local property tax deduction available to veterans, currently \$150, and there may be a potential increase in local costs for property tax exemption available to severely disabled veterans. The OLS estimates these additional costs, based on the estimated number of additional qualifying veterans, would be minimal.

Administrative costs. The Department of the Treasury estimates that in the initial year of implementation, the Division of Pensions and Benefits will incur implementation costs of \$200,000, of which \$100,000 would be for materials and supplies and \$100,000 for data processing. The OLS notes that the division's administrative costs are paid through assessments on the pensions systems administered by the division, not from the State General Fund.

SENATE, No. 1894

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED NOVEMBER 13, 2000

Sponsored by:

Senator JOSEPH M. KYRILLOS, JR.

District 13 (Middlesex and Monmouth)

SYNOPSIS

Expands certain veterans' benefits to certain participants in the Lebanon Crisis of 1958.

CURRENT VERSION OF TEXT

As introduced.



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2

1 AN ACT concerning the qualification of certain persons as veterans for
2 certain purposes and amending various parts of the statutory law.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. N.J.S.11A:5-1 is amended to read as follows:

8 11A:5-1. Definitions. As used in this chapter:

9 a. "Disabled veteran" means any veteran who is eligible to be
10 compensated for a service-connected disability from war service by the
11 United States Veterans Administration or who receives or is entitled
12 to receive equivalent compensation for a service-connected disability
13 which arises out of military or naval service as set forth in this chapter
14 and who has submitted sufficient evidence of the record of disability
15 incurred in the line of duty to the Adjutant General of the Department
16 of Military and Veterans' Affairs on or before the closing date for
17 filing an application for an examination;

18 b. "Veteran" means any honorably discharged soldier, sailor,
19 marine or nurse who served in any army or navy of the allies of the
20 United States in World War I, between July 14, 1914 and November
21 11, 1918, or who served in any army or navy of the allies of the United
22 States in World War II, between September 1, 1939 and September 2,
23 1945 and who was inducted into that service through voluntary
24 enlistment, and was a citizen of the United States at the time of the
25 enlistment, and who did not renounce or lose his or her United States
26 citizenship; or any soldier, sailor, marine, airman, nurse or army field
27 clerk, who has served in the active military or naval service of the
28 United States and has been discharged or released under other than
29 dishonorable conditions from that service in any of the following wars
30 or conflicts and who has presented to the Adjutant General of the
31 Department of Military and Veterans' Affairs sufficient evidence of the
32 record of service on or before the closing date for filing an application
33 for an examination:

34 (1) World War I, between April 6, 1917 and November 11, 1918;

35 (2) World War II, on or after September 16, 1940, who shall have
36 served at least 90 days beginning on or before December 31, 1946 in
37 such active service, exclusive of any period of assignment for a course
38 of education or training under the Army Specialized Training Program
39 or the Navy College Training Program, which course was a
40 continuation of a civilian course and was pursued to completion, or as
41 a cadet or midshipman at one of the service academies; except that any
42 person receiving an actual service-incurred injury or disability shall be
43 classed a veteran whether or not that person has completed the 90-day

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

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1 service;

2 (3) Korean conflict, on or after June 23, 1950, who shall have
3 served at least 90 days beginning on or before January 31, 1955, in
4 active service, exclusive of any period of assignment for a course of
5 education or training under the Army Specialized Training Program or
6 the Navy College Training Program, which course was a continuation
7 of a civilian course and was pursued to completion, or as a cadet or
8 midshipman at one of the service academies; except that any person
9 receiving an actual service-incurred injury or disability shall be classed
10 as a veteran, whether or not that person has completed the 90-day
11 service;

12 (4) Lebanon crisis, on or after July 1, 1958, who has served in
13 Lebanon or on board any ship actively engaged in patrolling the
14 territorial waters of that nation for a period, continuous or in the
15 aggregate, of at least 14 days commencing on or before November 1,
16 1958 or the date of termination of that conflict, as proclaimed by the
17 President of the United States or Congress, whichever date of
18 termination is the latest, in such active service; provided, that any
19 person receiving an actual service-incurred injury or disability shall be
20 classed as a veteran whether or not that person has completed the 14
21 days' service as herein provided;

22 (5) Vietnam conflict, on or after December 31, 1960, who shall
23 have served at least 90 days beginning on or before May 7, 1975, in
24 active service, exclusive of any period of assignment for a course of
25 education or training under the Army Specialized Training Program or
26 the Navy College Training Program, which course was a continuation
27 of a civilian course and was pursued to completion, or as a cadet or
28 midshipman at one of the service academies, and exclusive of any
29 service performed pursuant to the provisions of section 511(d) of Title
30 10, United States Code, or exclusive of any service performed
31 pursuant to enlistment in the National Guard or the Army Reserve,
32 Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast
33 Guard Reserve; except that any person receiving an actual
34 service-incurred injury or disability shall be classed as a veteran,
35 whether or not that person has completed the 90-day service as
36 provided;

37 ~~[(5)]~~ (6) Lebanon peacekeeping mission, on or after September
38 26, 1982, who has served in Lebanon or on board any ship actively
39 engaged in patrolling the territorial waters of that nation for a period,
40 continuous or in the aggregate, of at least 14 days commencing on or
41 before December 1, 1987 or the date of termination of that mission, as
42 proclaimed by the President of the United States or Congress,
43 whichever date of termination is the latest, in such active service;
44 provided, that any person receiving an actual service-incurred injury
45 or disability shall be classed as a veteran whether or not that person
46 has completed the 14 days' service as herein provided;

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1 ~~[(6)]~~ (7) Grenada peacekeeping mission, on or after October 23,
2 1983, who has served in Grenada or on board any ship actively
3 engaged in patrolling the territorial waters of that nation for a period,
4 continuous or in the aggregate, of at least 14 days commencing on or
5 before November 21, 1983 or the date of termination of that mission,
6 as proclaimed by the President of the United States or Congress,
7 whichever date of termination is the latest, in such active service;
8 provided, that any person receiving an actual service-incurred injury
9 or disability shall be classed as a veteran whether or not that person
10 has completed the 14 days' service as herein provided;

11 ~~[(7)]~~ (8) Panama peacekeeping mission, on or after December 20,
12 1989 or the date of inception of that mission, as proclaimed by the
13 President of the United States or Congress, whichever date of
14 inception is earliest, who has served in Panama or on board any ship
15 actively engaged in patrolling the territorial waters of that nation for
16 a period, continuous or in the aggregate, of at least 14 days
17 commencing on or before January 31, 1990 or the date of termination
18 of that mission, as proclaimed by the President of the United States or
19 Congress, whichever date of termination is the latest, in such active
20 service; provided, that any person receiving an actual service-incurred
21 injury or disability shall be classed as a veteran whether or not that
22 person has completed the 14 days' service as herein provided;

23 ~~[(8)]~~ (9) Operation "Desert Shield/Desert Storm" mission in the
24 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
25 the date of inception of that operation, as proclaimed by the President
26 of the United States or Congress, whichever date of inception is
27 earliest, who has served in the Arabian peninsula or on board any ship
28 actively engaged in patrolling the Persian Gulf for a period, continuous
29 or in the aggregate, of at least 14 days commencing on or before the
30 date of termination of that mission, as proclaimed by the President of
31 the United States or Congress, whichever date of termination is the
32 latest, in such active service; provided, that any person receiving an
33 actual service-incurred injury or disability shall be classed as a veteran
34 whether or not that person has completed the 14 days' service as
35 herein provided;

36 ~~[(9)]~~ (10) Operation "Restore Hope" in Somalia, commencing on
37 or after December 5, 1992, or the date of inception of that operation
38 as proclaimed by the President of the United States or the Congress,
39 whichever date is earliest, and terminating on March 31, 1994, or the
40 date of termination as proclaimed by the President of the United States
41 or the Congress, whichever date is latest, who served for at least 14
42 days, continuously or in the aggregate, in Somalia or on board any
43 ship actively engaged in patrolling the territorial waters of that nation
44 during the specified period; provided that any person receiving an
45 actual service-incurred injury or disability shall be classed as a veteran
46 whether or not that person has completed the 14-day service as herein

1 provided; and

2 [(10)] (11) Operations "Joint Endeavor" and "Joint Guard" in the
3 Republic of Bosnia and Herzegovina, commencing on or after
4 November 20, 1995 or December 20, 1996, as the case may be, and
5 terminating on December 20, 1996 or on such date as the United
6 States Secretary of Defense may designate, as the case may be, who
7 served in direct support of one or both of the operations for at least 14
8 days, continuously or in the aggregate, and (1) was deployed in that
9 nation or in another area in the region, or (2) was on board a United
10 States naval vessel operating in the Adriatic Sea, or (3) operated in
11 airspace above the Republic of Bosnia and Herzegovina; provided that
12 any person receiving an actual service-incurred injury or disability shall
13 be classed as a veteran whether or not that person completed the
14 14-day service requirement;

15 c. "War service" means service by a veteran in any war or conflict
16 described in this chapter during the periods specified.

17 (cf: P.L.2000, c.127, s.2)

18

19 2. N.J.S.18A:66-2 is amended to read as follows:

20 18A:66-2. As used in this article:

21 a. "Accumulated deductions" means the sum of all the amounts,
22 deducted from the compensation of a member or contributed by or in
23 behalf of the member, including interest credited to January 1, 1956,
24 standing to the credit of the member's individual account in the annuity
25 savings fund.

26 b. "Annuity" means payments for life derived from the accumulated
27 deductions of a member as provided in this article.

28 c. "Beneficiary" means any person receiving a retirement allowance
29 or other benefit as provided in this article.

30 d. "Compensation" means the contractual salary, for services as a
31 teacher as defined in this article, which is in accordance with
32 established salary policies of the member's employer for all employees
33 in the same position but shall not include individual salary adjustments
34 which are granted primarily in anticipation of the member's retirement
35 or additional remuneration for performing temporary or extracurricular
36 duties beyond the regular school day or the regular school year.

37 e. "Employer" means the State, the board of education or any
38 educational institution or agency of or within the State by which a
39 teacher is paid.

40 f. "Final compensation" means the average annual compensation
41 for which contributions are made for the three years of creditable
42 service in New Jersey immediately preceding the member's retirement
43 or death, or it shall mean the average annual compensation for New
44 Jersey service for which contributions are made during any three fiscal
45 years of his or her membership providing the largest possible benefit
46 to the member or the member's beneficiary.

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- 1 g. "Fiscal year" means any year commencing with July 1, and
2 ending with June 30, next following.
- 3 h. "Pension" means payments for life derived from appropriations
4 made by the State or employers to the Teachers' Pension and Annuity
5 Fund.
- 6 i. "Annuity reserve" means the present value of all payments to be
7 made on account of any annuity or benefit in lieu of an annuity,
8 granted under the provisions of this article, computed on the basis of
9 such mortality tables recommended by the actuary as the board of
10 trustees adopts, with regular interest.
- 11 j. "Pension reserve" means the present value of all payments to be
12 made on account of any pension or benefit in lieu of a pension granted
13 to a member from the Teachers' Pension and Annuity Fund, computed
14 on the basis of such mortality tables recommended by the actuary as
15 the board of trustees adopts, with regular interest.
- 16 k. "Present-entrant" means any member of the Teachers' Pension
17 and Annuity Fund who had established status as a "present-entrant
18 member" of said fund prior to January 1, 1956.
- 19 l. "Rate of contribution initially certified" means the rate of
20 contribution certified by the retirement system in accordance with
21 N.J.S.18A:66-29.
- 22 m. "Regular interest" shall mean interest as determined by the State
23 Treasurer, after consultation with the Directors of the Divisions of
24 Investment and Pensions, the board of trustees and the actuary. It
25 shall bear a reasonable relationship to the percentage rate of earnings
26 on investments based on the market value of assets but shall not
27 exceed the assumed percentage rate of increase applied to salaries plus
28 3%, provided however that the board of trustees shall not set the
29 average percentage rate of increase applied to salaries below 6%.
- 30 n. "Retirement allowance" means the pension plus the annuity.
- 31 o. "School service" means any service as a "teacher" as defined in
32 this section.
- 33 p. "Teacher" means any regular teacher, special teacher, helping
34 teacher, teacher clerk, principal, vice-principal, supervisor, supervising
35 principal, director, superintendent, city superintendent, assistant city
36 superintendent, county superintendent, State Commissioner or
37 Assistant Commissioner of Education, members of the State
38 Department of Education who are certificated, unclassified
39 professional staff and other members of the teaching or professional
40 staff of any class, public school, high school, normal school, model
41 school, training school, vocational school, truant reformatory school,
42 or parental school, and of any and all classes or schools within the
43 State conducted under the order and superintendence, and wholly or
44 partly at the expense of the State Board of Education, of a duly
45 elected or appointed board of education, board of school directors, or
46 board of trustees of the State or of any school district or normal

1 school district thereof, and any persons under contract or engagement
2 to perform one or more of these functions. It shall also mean any
3 person who serves, while on an approved leave of absence from
4 regular duties as a teacher, as an officer of a local, county or State
5 labor organization which represents, or is affiliated with an
6 organization which represents, teachers as defined in this subsection.
7 No person shall be deemed a teacher within the meaning of this article
8 who is a substitute teacher. In all cases of doubt the board of trustees
9 shall determine whether any person is a teacher as defined in this
10 article.

11 q. "Teachers' Pension and Annuity Fund," hereinafter referred to
12 as the "retirement system" or "system," is the corporate name of the
13 arrangement for the payment of retirement allowances and other
14 benefits under the provisions of this article, including the several funds
15 placed under said system. By that name all its business shall be
16 transacted, its funds invested, warrants for money drawn, and
17 payments made and all of its cash and securities and other property
18 held.

19 r. "Veteran" means any honorably discharged officer, soldier,
20 sailor, airman, marine or nurse who served in any Army, Air Force or
21 Navy of the Allies of the United States in World War I between July
22 14, 1914, and November 11, 1918, or who served in any Army, Air
23 Force or Navy of the Allies of the United States in World War II,
24 between September 1, 1939, and September 2, 1945, and who was
25 inducted into such service through voluntary enlistment, and was a
26 citizen of the United States at the time of such enlistment, and who did
27 not, during or by reason of such service, renounce or lose United
28 States citizenship, and any officer, soldier, sailor, marine, airman,
29 nurse or army field clerk who has served in the active military or naval
30 service of the United States and has or shall be discharged or released
31 therefrom under conditions other than dishonorable, in any of the
32 following wars, uprisings, insurrections, expeditions or emergencies,
33 and who has presented to the retirement system evidence of such
34 record of service in form and content satisfactory to said retirement
35 system:

36 (1) The Indian wars and uprisings during any of the periods
37 recognized by the War Department of the United States as periods of
38 active hostility;

39 (2) The Spanish-American War between April 20, 1898, and
40 April 11, 1899;

41 (3) The Philippine insurrections and expeditions during the periods
42 recognized by the War Department of the United States as of active
43 hostility from February 4, 1899, to the end of 1913;

44 (4) The Peking relief expedition between June 20, 1900, and
45 May 27, 1902;

46 (5) The army of Cuban occupation between July 18, 1898, and

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- 1 May 20, 1902;
- 2 (6) The army of Cuban pacification between October 6, 1906, and
3 April 1, 1909;
- 4 (7) The Mexican punitive expedition between March 14, 1916, and
5 February 7, 1917;
- 6 (8) The Mexican border patrol, having actually participated in
7 engagements against Mexicans between April 12, 1911, and June 16,
8 1919;
- 9 (9) World War I, between April 6, 1917, and November 11, 1918;
- 10 (10) World War II, between September 16, 1940, and December
11 31, 1946, who shall have served at least 90 days in such active service,
12 exclusive of any period of assignment (1) for a course of education or
13 training under the Army Specialized Training Program or the Navy
14 College Training Program, which course was a continuation of a
15 civilian course and was pursued to completion, or (2) as a cadet or
16 midshipman at one of the service academies, any part of which 90 days
17 was served between said dates; provided that any person receiving an
18 actual service-incurred injury or disability shall be classed as a veteran,
19 whether or not that person has completed the 90-day service as herein
20 provided;
- 21 (11) Korean conflict on or after June 23, 1950, and on or prior to
22 January 31, 1955, who shall have served at least 90 days in such active
23 service, exclusive of any period of assignment (1) for a course of
24 education or training under the Army Specialized Training Program or
25 the Navy College Training Program, which course was a continuation
26 of a civilian course and was pursued to completion, or (2) as a cadet
27 or midshipman at one of the service academies, any part of which
28 90 days was served between said dates; provided that any person
29 receiving an actual service-incurred injury or disability shall be classed
30 as a veteran, whether or not that person has completed the 90-day
31 service as herein provided; and provided further that any member
32 classed as a veteran pursuant to this subsection prior to August 1,
33 1966, shall continue to be classed as a veteran, whether or not that
34 person completed the 90-day service between said dates as herein
35 provided;
- 36 (12) Lebanon crisis, on or after July 1, 1958, who has served in
37 Lebanon or on board any ship actively engaged in patrolling the
38 territorial waters of that nation for a period, continuous or in the
39 aggregate, of at least 14 days commencing on or before November 1,
40 1958 or the date of termination of that conflict, as proclaimed by the
41 President of the United States or Congress, whichever date of
42 termination is the latest, in such active service; provided, that any
43 person receiving an actual service-incurred injury or disability shall be
44 classed as a veteran whether or not that person has completed the 14
45 days' service as herein provided;
- 46 (13) Vietnam conflict, on or after December 31, 1960, and on or

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1 prior to May 7, 1975, who shall have served at least 90 days in such
2 active service, exclusive of any period of assignment (1) for a course
3 of education or training under the Army Specialized Training Program
4 or the Navy College Training Program, which course was a
5 continuation of a civilian course and was pursued to completion, or (2)
6 as a cadet or midshipman at one of the service academies, any part of
7 which 90 days was served between said dates; and exclusive of any
8 service performed pursuant to the provisions of section 511(d) of Title
9 10, United States Code, pursuant to an enlistment in the Army
10 National Guard or as a reserve for service in the Army Reserve, Naval
11 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
12 Reserve; provided that any person receiving an actual service-incurred
13 injury or disability shall be classed as a veteran, whether or not that
14 person has completed the 90-day service as herein provided;

15 [(13)] (14) Lebanon peacekeeping mission, on or after
16 September 26, 1982, who has served in Lebanon or on board any ship
17 actively engaged in patrolling the territorial waters of that nation for
18 a period, continuous or in the aggregate, of at least 14 days
19 commencing on or before December 1, 1987 or the date of termination
20 of that mission, as proclaimed by the President of the United States or
21 Congress, whichever date of termination is the latest, in such active
22 service; provided, that any person receiving an actual service-incurred
23 injury or disability shall be classed as a veteran whether or not that
24 person has completed the 14 days' service as herein provided;

25 [(14)] (15) Grenada peacekeeping mission, on or after
26 October 23, 1983, who has served in Grenada or on board any ship
27 actively engaged in patrolling the territorial waters of that nation for
28 a period, continuous or in the aggregate, of at least 14 days
29 commencing on or before November 21, 1983 or the date of
30 termination of that mission, as proclaimed by the President of the
31 United States or Congress, whichever date of termination is the latest,
32 in such active service; provided, that any person receiving an actual
33 service-incurred injury or disability shall be classed as a veteran
34 whether or not that person has completed the 14 days' service as
35 herein provided;

36 [(15)] (16) Panama peacekeeping mission, on or after
37 December 20, 1989 or the date of inception of that mission, as
38 proclaimed by the President of the United States or Congress,
39 whichever date of inception is earliest, who has served in Panama or
40 on board any ship actively engaged in patrolling the territorial waters
41 of that nation for a period, continuous or in the aggregate, of at least
42 14 days commencing on or before January 31, 1990 or the date of
43 termination of that mission, as proclaimed by the President of the
44 United States or Congress, whichever date of termination is the latest,
45 in such active service; provided, that any person receiving an actual
46 service-incurred injury or disability shall be classed as a veteran

1 whether or not that person has completed the 14 days' service as
2 herein provided;

3 [(16)] (17) Operation "Desert Shield/Desert Storm" mission in
4 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
5 or the date of inception of that operation, as proclaimed by the
6 President of the United States or Congress, whichever date of
7 inception is earliest, who has served in the Arabian peninsula or on
8 board any ship actively engaged in patrolling the Persian Gulf for a
9 period, continuous or in the aggregate, of at least 14 days commencing
10 on or before the date of termination of that mission, as proclaimed by
11 the President of the United States, Congress or the Governor,
12 whichever date of termination is the latest, in such active service;
13 provided, that any person receiving an actual service-incurred injury
14 or disability shall be classed as a veteran whether or not that person
15 has completed the 14 days' service as herein provided.

16 "Veteran" also means any honorably discharged member of the
17 American Merchant Marine who served during World War II and is
18 declared by the United States Department of Defense to be eligible for
19 federal veterans' benefits.

20 s. "Child" means a deceased member's unmarried child either (a)
21 under the age of 18 or (b) of any age who, at the time of the member's
22 death, is disabled because of mental retardation or physical incapacity,
23 is unable to do any substantial, gainful work because of the impairment
24 and the impairment has lasted or can be expected to last for a
25 continuous period of not less than 12 months, as affirmed by the
26 medical board.

27 t. "Widower" means the man to whom a member was married at
28 least five years before the date of her death and to whom she
29 continued to be married until the date of her death and who was
30 receiving at least one-half of his support from the member in the
31 12-month period immediately preceding the member's death or the
32 accident which was the direct cause of the member's death. The
33 dependency of such a widower will be considered terminated by
34 marriage of the widower subsequent to the death of the member. In
35 the event of the payment of an accidental death benefit, the five-year
36 qualification shall be waived.

37 u. "Widow" means the woman to whom a member was married at
38 least five years before the date of his death and to whom he continued
39 to be married until the date of his death and who was receiving at least
40 one-half of her support from the member in the 12-month period
41 immediately preceding the member's death or the accident which was
42 the direct cause of the member's death. The dependency of such a
43 widow will be considered terminated by the marriage of the widow
44 subsequent to the member's death. In the event of the payment of an
45 accidental death benefit, the five-year qualification shall be waived.

46 v. "Parent" means the parent of a member who was receiving at

1 least one-half of the parent's support from the member in the 12-month
2 period immediately preceding the member's death or the accident
3 which was the direct cause of the member's death. The dependency of
4 such a parent will be considered terminated by marriage of the parent
5 subsequent to the death of the member.

6 w. "Medical board" means the board of physicians provided for in
7 N.J.S.18A:66-56.
8 (cf: P.L.1995, c.406, s.2)

9
10 3. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read as
11 follows:

12 6. As used in this act:

13 a. "Accumulated deductions" means the sum of all the amounts,
14 deducted from the compensation of a member or contributed by or on
15 behalf of the member, standing to the credit of the member's individual
16 account in the annuity savings fund.

17 b. "Annuity" means payments for life derived from the accumulated
18 deductions of a member as provided in this act.

19 c. "Annuity reserve" means the present value of all payments to be
20 made on account of any annuity or benefit in lieu of an annuity,
21 granted under the provisions of this act, computed on the basis of such
22 mortality tables recommended by the actuary as the board of trustees
23 adopts, with regular interest.

24 d. "Beneficiary" means any person receiving a retirement allowance
25 or other benefit as provided in this act.

26 e. "Child" means a deceased member's unmarried child either (1)
27 under the age of 18 or (2) of any age who, at the time of the member's
28 death, is disabled because of mental retardation or physical incapacity,
29 is unable to do any substantial, gainful work because of the impairment
30 and the impairment has lasted or can be expected to last for a
31 continuous period of not less than 12 months, as affirmed by the
32 medical board.

33 f. "Parent" shall mean the parent of a member who was receiving
34 at least 1/2 of the parent's support from the member in the 12-month
35 period immediately preceding the member's death or the accident
36 which was the direct cause of the member's death. The dependency of
37 such a parent will be considered terminated by marriage of the parent
38 subsequent to the death of the member.

39 g. "Widower" means the man to whom a member was married at
40 least five years before the date of her death and to whom she
41 continued to be married until the date of her death and who was
42 receiving at least 1/2 of his support from the member in the 12-month
43 period immediately preceding the member's death or the accident
44 which was the direct cause of the member's death. The dependency of
45 such a widower will be considered terminated by marriage of the
46 widower subsequent to the death of the member. In the event of the

- 1 payment of an accidental death benefit, the five-year qualification shall
2 be waived.
- 3 h. "Final compensation" means the average annual compensation
4 for which contributions are made for the three years of creditable
5 service in New Jersey immediately preceding the member's retirement
6 or death, or it shall mean the average annual compensation for New
7 Jersey service for which contributions are made during any three fiscal
8 years of his or her membership providing the largest possible benefit
9 to the member or the member's beneficiary.
- 10 i. "Fiscal year" means any year commencing with July 1 and ending
11 with June 30 next following.
- 12 j. "Medical board" shall mean the board of physicians provided for
13 in section 17 (C.43:15A-17).
- 14 k. "Pension" means payments for life derived from appropriations
15 made by the employer as provided in this act.
- 16 l. "Pension reserve" means the present value of all payments to be
17 made on account of any pension or benefit in lieu of a pension granted
18 under the provisions of this act, computed on the basis of such
19 mortality tables recommended by the actuary as the board of trustees
20 adopts, with regular interest.
- 21 m. "Public Employees' Retirement System of New Jersey,"
22 hereinafter referred to as the "retirement system" or "system," is the
23 corporate name of the arrangement for the payment of retirement
24 allowances and other benefits under the provisions of this act including
25 the several funds placed under said system. By that name all of its
26 business shall be transacted, its funds invested, warrants for money
27 drawn, and payments made and all of its cash and securities and other
28 property held.
- 29 n. "Regular interest" shall mean interest as determined by the State
30 Treasurer, after consultation with the Directors of the Divisions of
31 Investment and Pensions, the board of trustees and the actuary. It
32 shall bear a reasonable relationship to the percentage rate of earnings
33 on investments based on the market value of the assets but shall not
34 exceed the assumed percentage rate of increase applied to salaries plus
35 3%, provided however that the board of trustees shall not set the
36 average percentage rate of increase applied to salaries below 6%.
- 37 o. "Retirement allowance" means the pension plus the annuity.
- 38 p. "Veteran" means any honorably discharged officer, soldier,
39 sailor, airman, marine or nurse who served in any Army, Air Force or
40 Navy of the Allies of the United States in World War I, between
41 July 14, 1914, and November 11, 1918, or who served in any Army,
42 Air Force or Navy of the Allies of the United States in World War II,
43 between September 1, 1939, and September 2, 1945, and who was
44 inducted into such service through voluntary enlistment, and was a
45 citizen of the United States at the time of such enlistment, and who did
46 not, during or by reason of such service, renounce or lose United

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1 States citizenship, and any officer, soldier, sailor, marine, airman,
2 nurse or army field clerk, who has served in the active military or naval
3 service of the United States and has or shall be discharged or released
4 therefrom under conditions other than dishonorable, in any of the
5 following wars, uprisings, insurrections, expeditions, or emergencies,
6 and who has presented to the retirement system evidence of such
7 record of service in form and content satisfactory to said retirement
8 system:

9 (1) The Indian wars and uprisings during any of the periods
10 recognized by the War Department of the United States as periods of
11 active hostility;

12 (2) The Spanish-American War between April 20, 1898, and
13 April 11, 1899;

14 (3) The Philippine insurrections and expeditions during the periods
15 recognized by the War Department of the United States as of active
16 hostility from February 4, 1899, to the end of 1913;

17 (4) The Peking relief expedition between June 20, 1900,
18 and May 27, 1902;

19 (5) The army of Cuban occupation between July 18, 1898, and
20 May 20, 1902;

21 (6) The army of Cuban pacification between October 6, 1906, and
22 April 1, 1909;

23 (7) The Mexican punitive expedition between March 14, 1916, and
24 February 7, 1917;

25 (8) The Mexican border patrol, having actually participated in
26 engagements against Mexicans between April 12, 1911, and June 16,
27 1919;

28 (9) World War I, between April 6, 1917, and November 11, 1918;

29 (10) World War II, between September 16, 1940, and
30 December 31, 1946, who shall have served at least 90 days in such
31 active service, exclusive of any period of assignment (1) for a course
32 of education or training under the Army Specialized Training Program
33 or the Navy College Training Program which course was a
34 continuation of a civilian course and was pursued to completion, or (2)
35 as a cadet or midshipman at one of the service academies any part of
36 which 90 days was served between said dates; provided, that any
37 person receiving an actual service-incurred injury or disability shall be
38 classed as a veteran whether or not that person has completed the
39 90-day service as herein provided;

40 (11) Korean conflict on or after June 23, 1950, and on or prior to
41 January 31, 1955, who shall have served at least 90 days in such active
42 service, exclusive of any period of assignment (1) for a course of
43 education or training under the Army Specialized Training Program or
44 the Navy College Training Program which course was a continuation
45 of a civilian course and was pursued to completion, or (2) as a cadet
46 or midshipman at one of the service academies, any part of which

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1 90 days was served between said dates; provided, that any person
2 receiving an actual service-incurred injury or disability shall be classed
3 as a veteran whether or not that person has completed the 90-day
4 service as herein provided; and provided further, that any member
5 classed as a veteran pursuant to this paragraph prior to August 1,
6 1966, shall continue to be classed as a veteran whether or not that
7 person completed the 90-day service between said dates as herein
8 provided;

9 (12) Lebanon crisis, on or after July 1, 1958, who has served in
10 Lebanon or on board any ship actively engaged in patrolling the
11 territorial waters of that nation for a period, continuous or in the
12 aggregate, of at least 14 days commencing on or before November 1,
13 1958 or the date of termination of that conflict, as proclaimed by the
14 President of the United States or Congress, whichever date of
15 termination is the latest, in such active service; provided, that any
16 person receiving an actual service-incurred injury or disability shall be
17 classed as a veteran whether or not that person has completed the 14
18 days' service as herein provided;

19 (13) Vietnam conflict on or after December 31, 1960, and on or
20 prior to May 7, 1975, who shall have served at least 90 days in such
21 active service, exclusive of any period of assignment (1) for a course
22 of education or training under the Army Specialized Training Program
23 or the Navy College Training Program which course was a
24 continuation of a civilian course and was pursued to completion, or (2)
25 as a cadet or midshipman at one of the service academies, any part of
26 which 90 days was served between said dates; and exclusive of any
27 service performed pursuant to the provisions of section 511(d) of Title
28 10, United States Code, pursuant to an enlistment in the Army
29 National Guard or as a reserve for service in the Army Reserve, Naval
30 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
31 Reserve; provided, that any person receiving an actual service-incurred
32 injury or disability shall be classed as a veteran whether or not that
33 person has completed the 90 days' service as herein provided;

34 [(13)] (14) Lebanon peacekeeping mission, on or after
35 September 26, 1982, who has served in Lebanon or on board any ship
36 actively engaged in patrolling the territorial waters of that nation for
37 a period, continuous or in the aggregate, of at least 14 days
38 commencing on or before December 1, 1987 or the date of termination
39 of that mission, as proclaimed by the President of the United States or
40 Congress, whichever date of termination is the latest, in such active
41 service; provided, that any person receiving an actual service-incurred
42 injury or disability shall be classed as a veteran whether or not that
43 person has completed the 14 days' service as herein provided;

44 [(14)] (15) Grenada peacekeeping mission, on or after
45 October 23, 1983, who has served in Grenada or on board any ship
46 actively engaged in patrolling the territorial waters of that nation for

1 a period, continuous or in the aggregate, of at least 14 days
2 commencing on or before November 21, 1983 or the date of
3 termination of that mission, as proclaimed by the President of the
4 United States or Congress, whichever date of termination is the latest,
5 in such active service; provided, that any person receiving an actual
6 service-incurred injury or disability shall be classed as a veteran
7 whether or not that person has completed the 14 days' service as
8 herein provided;

9 [(15)] (16) Panama peacekeeping mission, on or after
10 December 20, 1989 or the date of inception of that mission, as
11 proclaimed by the President of the United States or Congress,
12 whichever date of inception is earliest, who has served in Panama or
13 on board any ship actively engaged in patrolling the territorial waters
14 of that nation for a period, continuous or in the aggregate, of at least
15 14 days commencing on or before January 31, 1990 or the date of
16 termination of that mission, as proclaimed by the President of the
17 United States or Congress, whichever date of termination is the latest,
18 in such active service; provided, that any person receiving an actual
19 service-incurred injury or disability shall be classed as a veteran
20 whether or not that person has completed the 14 days' service as
21 herein provided;

22 [(16)] (17) Operation "Desert Shield/Desert Storm" mission in
23 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
24 or the date of inception of that operation, as proclaimed by the
25 President of the United States, Congress or the Governor, whichever
26 date of inception is earliest, who has served in the Arabian peninsula
27 or on board any ship actively engaged in patrolling the Persian Gulf for
28 a period, continuous or in the aggregate, of at least 14 days
29 commencing on or before the date of termination of that mission, as
30 proclaimed by the President of the United States, Congress or the
31 Governor, whichever date of termination is the latest, in such active
32 service; provided, that any person receiving an actual service-incurred
33 injury or disability shall be classed as a veteran whether or not that
34 person has completed the 14 days' service as herein provided.

35 "Veteran" also means any honorably discharged member of the
36 American Merchant Marine who served during World War II and is
37 declared by the United States Department of Defense to be eligible for
38 federal veterans' benefits.

39 q. "Widow" means the woman to whom a member was married at
40 least five years before the date of his death and to whom he continued
41 to be married until the date of his death and who was receiving at least
42 1/2 of her support from the member in the 12-month period
43 immediately preceding the member's death or the accident which was
44 the direct cause of the member's death. The dependency of such a
45 widow will be considered terminated by the marriage of the widow
46 subsequent to the member's death. In the event of the payment of an

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1 accidental death benefit, the five-year qualification shall be waived.

2 r. "Compensation" means the base or contractual salary, for
3 services as an employee, which is in accordance with established salary
4 policies of the member's employer for all employees in the same
5 position but shall not include individual salary adjustments which are
6 granted primarily in anticipation of the member's retirement or
7 additional remuneration for performing temporary or extracurricular
8 duties beyond the regular workday or the regular work year. In cases
9 where salary includes maintenance, the retirement system shall fix the
10 value of that part of the salary not paid in money which shall be
11 considered under this act.

12 (cf: P.L.1995, c.406, s.3)

13

14 4. Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is amended to
15 read as follows:

16 1. For purposes of this act "veteran" means any honorably
17 discharged officer, soldier, sailor, airman, marine or nurse who served
18 in any Army, Air Force or Navy of the Allies of the United States in
19 World War I, between July 14, 1914, and November 11, 1918, or who
20 served in any Army, Air Force or Navy of the Allies of the United
21 States in World War II, between September 1, 1939, and
22 September 2, 1945, and who was inducted into such service through
23 voluntary enlistment, and was a citizen of the United States at the time
24 of such enlistment, and who did not, during or by reason of such
25 service, renounce or lose United States citizenship, and any officer,
26 soldier, sailor, marine, airman, nurse or army field clerk, who has
27 served in the active military or naval service of the United States and
28 has or shall be discharged or released therefrom under conditions other
29 than dishonorable, in any of the following wars, uprisings,
30 insurrections, expeditions, or emergencies, and who has presented to
31 the retirement system evidence of such record of service in form and
32 content satisfactory to said retirement system:

33 (1) The Indian wars and uprisings during any of the periods
34 recognized by the War Department of the United States as periods of
35 active hostility;

36 (2) The Spanish-American War between April 20, 1898, and
37 April 11, 1899;

38 (3) The Philippine insurrections and expeditions during the periods
39 recognized by the War Department of the United States as of active
40 hostility from February 4, 1899, to the end of 1913;

41 (4) The Peking relief expedition between June 20, 1900, and
42 May 27, 1902;

43 (5) The army of Cuban occupation between July 18, 1898, and
44 May 20, 1902;

45 (6) The army of Cuban pacification between October 6, 1906, and
46 April 1, 1909;

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1 (7) The Mexican punitive expedition between March 14, 1916, and
2 February 7, 1917;

3 (8) The Mexican border patrol, having actually participated in
4 engagements against Mexicans between April 12, 1911, and June 16,
5 1919;

6 (9) World War I between April 6, 1917, and November 11, 1918;

7 (10) World War II, between September 16, 1940, and
8 December 31, 1946, who shall have served at least 90 days in such
9 active service, exclusive of any period of assignment (1) for a course
10 of education or training under the Army Specialized Training Program
11 or the Navy College Training program which course was a
12 continuation of a civilian course and was pursued to completion, or (2)
13 as a cadet or midshipman at one of the service academies any part of
14 which 90 days was served between said dates; provided, that any
15 person receiving an actual service-incurred injury or disability shall be
16 classed as a veteran whether or not that person has completed the
17 90-day service as herein provided;

18 (11) Korean conflict on or after June 23, 1950, and on or prior to
19 January 31, 1955, who shall have served at least 90 days in such active
20 service, exclusive of any period of assignment (1) for a course of
21 education or training under the Army Specialized Training Program or
22 the Navy College Training Program which course was a continuation
23 of a civilian course and was pursued to completion, or (2) as a cadet
24 or midshipman at one of the service academies, any part of which 90
25 days was served between said dates; provided, that any person
26 receiving an actual service-incurred injury or disability shall be classed
27 as a veteran whether or not that person has completed the 90-day
28 service as herein provided; and provided further, that any member
29 classed as a veteran pursuant to this subparagraph prior to August 1,
30 1966, shall continue to be classed as a veteran whether or not the
31 member completed the 90-day service between said dates as herein
32 provided;

33 (12) Lebanon crisis, on or after July 1, 1958, who has served in
34 Lebanon or on board any ship actively engaged in patrolling the
35 territorial waters of that nation for a period, continuous or in the
36 aggregate, of at least 14 days commencing on or before November 1,
37 1958 or the date of termination of that conflict, as proclaimed by the
38 President of the United States or Congress, whichever date of
39 termination is the latest, in such active service; provided, that any
40 person receiving an actual service-incurred injury or disability shall be
41 classed as a veteran whether or not that person has completed the 14
42 days' service as herein provided;

43 (13) Vietnam conflict on or after December 31, 1960, and on or
44 prior to May 7, 1975, who shall have served at least 90 days in such
45 active service, exclusive of any period of assignment (1) for a course
46 of education or training under the Army Specialized Training Program

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1 or the Navy College Training Program which course was a
2 continuation of a civilian course and was pursued to completion, or (2)
3 as a cadet or midshipman at one of the service academies, any part of
4 which 90 days was served between said dates; and exclusive of any
5 service performed pursuant to the provisions of section 511 (d) of
6 Title 10, United States Code, pursuant to an enlistment in the Army
7 National Guard or as a reserve for service in the Army Reserve, Naval
8 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
9 Reserve; provided, that any person receiving an actual service-incurred
10 injury or disability shall be classed as a veteran whether or not that
11 person has completed the 90 days' service as herein provided;

12 **[(13)]** (14) Lebanon peacekeeping mission, on or after
13 September 26, 1982, who has served in Lebanon or on board any ship
14 actively engaged in patrolling the territorial waters of that nation for
15 a period, continuous or in the aggregate, of at least 14 days
16 commencing on or before December 1, 1987 or the date of termination
17 of that mission, as proclaimed by the President of the United States or
18 Congress, whichever date of termination is the latest, in such active
19 service; provided, that any person receiving an actual service-incurred
20 injury or disability shall be classed as a veteran whether or not that
21 person has completed the 14 days' service as herein provided;

22 **[(14)]** (15) Grenada peacekeeping mission, on or after
23 October 23, 1983, who has served in Grenada or on board any ship
24 actively engaged in patrolling the territorial waters of that nation for
25 a period, continuous or in the aggregate, of at least 14 days
26 commencing on or before November 21, 1983 or the date of
27 termination of that mission, as proclaimed by the President of the
28 United States or Congress, whichever date of termination is the latest,
29 in such active service; provided, that any person receiving an actual
30 service-incurred injury or disability shall be classed as a veteran
31 whether or not that person has completed the 14 days' service as
32 herein provided;

33 **[(15)]** (16) Panama peacekeeping mission, on or after
34 December 20, 1989 or the date of inception of that mission, as
35 proclaimed by the President of the United States or Congress,
36 whichever date of inception is earliest, who has served in Panama or
37 on board any ship actively engaged in patrolling the territorial waters
38 of that nation for a period, continuous or in the aggregate, of at least
39 14 days commencing on or before January 31, 1990 or the date of
40 termination of that mission, as proclaimed by the President of the
41 United States or Congress, whichever date of termination is the latest,
42 in such active service; provided, that any person receiving an actual
43 service-incurred injury or disability shall be classed as a veteran
44 whether or not that person has completed the 14 days' service as
45 herein provided;

46 **[(16)]** (17) Operation "Desert Shield/Desert Storm" mission in

1 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
2 or the date of inception of that operation, as proclaimed by the
3 President of the United States or Congress, whichever date of
4 inception is earliest, who has served in the Arabian peninsula or on
5 board any ship actively engaged in patrolling the Persian Gulf for a
6 period, continuous or in the aggregate, of at least 14 days commencing
7 on or before the date of termination of that mission, as proclaimed by
8 the President of the United States, Congress or the Governor,
9 whichever date of termination is the latest, in such active service;
10 provided, that any person receiving an actual service-incurred injury
11 or disability shall be classed as a veteran whether or not that person
12 has completed the 14 days' service as herein provided.

13 "Veteran" also means any honorably discharged member of the
14 American Merchant Marine who served during World War II and is
15 declared by the United States Department of Defense to be eligible for
16 federal veterans' benefits.

17 (cf: P.L.1995, c.406, s.4)

18

19 5. Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to read
20 as follows:

21 1. (a) "Active service in time of war" means active service at some
22 time during one of the following periods:

23 Operation "Restore Hope" in Somalia, commencing on or after
24 December 5, 1992, or the date of inception of that operation as
25 proclaimed by the President of the United States or the Congress,
26 whichever date is earliest, and terminating on March 31, 1994, or the
27 date of termination as proclaimed by the President of the United States
28 or the Congress, whichever date is latest, who served for at least 14
29 days, continuously or in the aggregate, in Somalia or on board any
30 ship actively engaged in patrolling the territorial waters of that nation
31 during the specified period; provided that any person receiving an
32 actual service-incurred injury or disability shall be classed as a veteran
33 whether or not that person has completed the 14-day service as herein
34 provided;

35 Operations "Joint Endeavor" and "Joint Guard" in the Republic of
36 Bosnia and Herzegovina, commencing on or after November 20, 1995
37 or December 20, 1996, as the case may be, and terminating on
38 December 20, 1996 or on such date as the United States Secretary of
39 Defense may designate, as the case may be, who served in direct
40 support of one or both of the operations for at least 14 days,
41 continuously or in the aggregate, and (1) was deployed in that nation
42 or in another area in the region, or (2) was on board a United States
43 naval vessel operating in the Adriatic Sea, or (3) operated in airspace
44 above the Republic of Bosnia and Herzegovina; provided that any
45 person receiving an actual service-incurred injury or disability shall be
46 classed as a veteran whether or not that person completed the 14-day

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1 service requirement;

2 Operation "Desert Shield/Desert Storm" mission in the Arabian
3 peninsula and the Persian Gulf, on or after August 2, 1990 or the date
4 of inception of that operation, as proclaimed by the President of the
5 United States or Congress, whichever date of inception is earliest, who
6 has served in the Arabian peninsula or on board any ship actively
7 engaged in patrolling the Persian Gulf for a period, continuous or in
8 the aggregate, of at least 14 days commencing on or before the date
9 of termination of that mission, as proclaimed by the President of the
10 United States or Congress, whichever date of termination is the latest,
11 in such active service; provided, that any person receiving an actual
12 service-incurred injury or disability shall be classed as a veteran
13 whether or not that person has completed the 14 days' service as
14 herein provided;

15 The Panama peacekeeping mission, on or after December 20, 1989
16 or the date of inception of that mission, as proclaimed by the President
17 of the United States or Congress, whichever date of inception is
18 earliest, who has served in Panama or on board any ship actively
19 engaged in patrolling the territorial waters of that nation for a period,
20 continuous or in the aggregate, of at least 14 days commencing on or
21 before January 31, 1990 or the date of termination of that mission, as
22 proclaimed by the President of the United States or Congress,
23 whichever date of termination is the latest, in such active service;
24 provided, that any person receiving an actual service-incurred injury
25 or disability shall be classed as a veteran whether or not that person
26 has completed the 14 days' service as herein provided;

27 The Grenada peacekeeping mission, on or after October 23, 1983,
28 who has served in Grenada or on board any ship actively engaged in
29 patrolling the territorial waters of that nation for a period, continuous
30 or in the aggregate, of at least 14 days commencing on or before
31 November 21, 1983 or the date of termination of that mission as
32 proclaimed by the President of the United States or Congress,
33 whichever date of termination is the latest, in such active service;
34 provided, that any person receiving an actual service-incurred injury
35 or disability shall be classed as a veteran whether or not that person
36 has completed the 14 days' service as herein provided;

37 The Lebanon peacekeeping mission, on or after September 26, 1982,
38 who has served in Lebanon or on board any ship actively engaged in
39 patrolling the territorial waters of that nation for a period, continuous
40 or in the aggregate, of at least 14 days commencing on or before
41 December 1, 1987 or the date of termination of that mission, as
42 proclaimed by the President of the United States or Congress,
43 whichever date of termination is the latest, in such active service;
44 provided, that any person receiving an actual service-incurred injury
45 or disability shall be classed as a veteran whether or not that person
46 has completed the 14 days' service as herein provided;

1 The Vietnam conflict, December 31, 1960, to May 7, 1975;
2 The Lebanon crisis, on or after July 1, 1958, who has served in
3 Lebanon or on board any ship actively engaged in patrolling the
4 territorial waters of that nation for a period, continuous or in the
5 aggregate, of at least 14 days commencing on or before November 1,
6 1958 or the date of termination of that conflict, as proclaimed by the
7 President of the United States or Congress, whichever date of
8 termination is the latest, in such active service; provided, that any
9 person receiving an actual service-incurred injury or disability shall be
10 classed as a veteran whether or not that person has completed the 14
11 days' service as herein provided;

12 The Korean conflict, June 23, 1950 to January 31, 1955;

13 World War II, September 16, 1940 to December 31, 1946;

14 World War I, April 6, 1917 to November 11, 1918, and in the case
15 of service with the United States military forces in Russia, April 6,
16 1917 to April 1, 1920;

17 Spanish-American War, April 21, 1898 to August 13, 1898;

18 Civil War, April 15, 1861 to May 26, 1865; or, as to any
19 subsequent war, during the period from the date of declaration of war
20 to the date on which actual hostilities shall cease.

21 (b) "Assessor" means the assessor, board of assessors or any other
22 official or body of a taxing district charged with the duty of assessing
23 real and personal property for the purpose of general taxation.

24 (c) "Collector" means the collector or receiver of taxes of a taxing
25 district.

26 (d) "Honorably discharged or released under honorable
27 circumstances from active service in time of war," means and includes
28 every form of separation from active, full-time duty with military or
29 naval pay and allowances in some branch of the Armed Forces of the
30 United States in time of war, other than those marked "dishonorable,"
31 "undesirable," "bad conduct," "by sentence of general court martial,"
32 "by sentence of summary court martial" or similar expression
33 indicating that the discharge or release was not under honorable
34 circumstances. A disenrollment certificate or other form of release
35 terminating temporary service in a military or naval branch of the
36 armed forces rendered on a voluntary and part-time basis without pay,
37 or a release from or deferment of induction into the active military or
38 naval service shall not be deemed to be included in the aforementioned
39 phrase.

40 (e) "Pre-tax year" means the particular calendar year immediately
41 preceding the "tax year."

42 (f) "Resident" means one legally domiciled within the State of New
43 Jersey. Mere seasonal or temporary residence within the State, of
44 whatever duration, shall not constitute domicile within the State for
45 the purposes of this act. Absence from this State for a period of 12
46 months shall be prima facie evidence of abandonment of domicile in

1 this State. The burden of establishing legal domicile within the State
2 shall be upon the claimant.

3 (g) "Tax year" means the particular calendar year in which the
4 general property tax is due and payable.

5 (h) "Veteran" means any citizen and resident of this State
6 honorably discharged or released under honorable circumstances from
7 active service in time of war in any branch of the Armed Forces of the
8 United States.

9 (i) "Veteran's deduction" means the deduction against the taxes
10 payable by any person, allowable pursuant to this act.

11 (j) "Surviving spouse" means the surviving wife or husband of any
12 of the following, while he or she is a resident of this State, during
13 widowhood or widowerhood:

14 1. A citizen and resident of this State who has died or shall die
15 while on active duty in time of war in any branch of the Armed Forces
16 of the United States; or

17 2. A citizen and resident of this State who has had or shall
18 hereafter have active service in time of war in any branch of the Armed
19 Forces of the United States and who died or shall die while on active
20 duty in a branch of the Armed Forces of the United States; or

21 3. A citizen and resident of this State who has been or may
22 hereafter be honorably discharged or released under honorable
23 circumstances from active service in time of war in any branch of the
24 Armed Forces of the United States.

25 (k) "Cooperative" means a housing corporation or association
26 incorporated or organized under the laws of New Jersey which entitles
27 a shareholder thereof to possess and occupy for dwelling purposes a
28 house, apartment or other structure owned or leased by the
29 corporation or association.

30 (l) "Mutual housing corporation" means a corporation
31 not-for-profit incorporated under the laws of New Jersey on a mutual
32 or cooperative basis within the scope of section 607 of the "National
33 Defense Housing Act," Pub.L.76-849 (42 U.S.C.s.1521 et seq.), which
34 acquired a National Defense Housing Project pursuant to that act.
35 (cf: P.L.1998, c.49, s.2)

36

37 6. This act shall take effect immediately.

38

39

40

STATEMENT

41

42 This bill extends eligibility for certain veterans' benefits to veterans
43 of the Lebanon Crisis of 1958.

44 The bill amends five sections of the law: the definition of "veteran"
45 for the purpose of eligibility for civil service preference; the definition
46 of "veteran" for the purpose of eligibility for enhanced benefits in the

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23

1 Teachers' Pension and Annuity Fund (TPAF) and the Public
2 Employees' Retirement System (PERS) and for the purpose of
3 purchasing service credit for military service by members of the Police
4 and Firemen's Retirement System (PFRS); and the definition of
5 "veteran" for the purpose of eligibility for the annual veterans' personal
6 property tax deduction. Specifically, the bill defines as a veteran any
7 person who has served in Lebanon on or after July 1, 1958 or on board
8 any ship actively engaged in patrolling the territorial waters of that
9 nation for a period, continuous or in the aggregate, of at least 14 days
10 commencing on or before November 1, 1958 or the date of
11 termination of that conflict, as proclaimed by the President of the
12 United States or Congress, whichever date of termination is the latest,
13 in such active service. Any person receiving an actual service-incurred
14 injury or disability shall be classed as a veteran whether or not that
15 person has completed the 14 days' service provided by the bill.

16 This bill sets the inception and termination dates for the Lebanon
17 Crisis to those recognized by the U.S. Department of Defense for this
18 operation.

FISCAL NOTE
SENATE, No. 1894
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: FEBRUARY 2, 2001

SUMMARY

Synopsis: Expands certain veterans' benefits to certain participants in the Lebanon Crisis of 1958.

Type of Impact: State Expenditure Increase, General Fund and Property Tax Relief Fund; Local Expenditure Increase.

Agencies Affected: Department of Treasury, Department of Personnel; Municipal Tax Assessors.

Executive Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost*	\$200,000	\$0	\$75,000
Local Cost*	\$0	\$0	\$62,000

* For PERS and TPAF pension benefits only.

- ! The Office of Legislative Services (OLS) **concurs** with the Executive Estimate, but notes that the estimate is only for the enhanced retirement benefits provided by the bill.
- ! Bill defines veteran for several statutory benefits to include person who served in the Lebanon Crisis of 1958.
- ! Increases costs to State and local governments for enhanced retirement benefits. Total cost depends on number of additional qualifying veterans, which the Executive Estimate calculates to be approximately 47 State employee veterans in PERS, 105 local government employee veterans in PERS, and 28 teacher veterans in TPAF.
- ! Provides civil service preference for public employment. OLS estimates that this should result in little or no additional State cost.
- ! Increases State costs to offset local veterans property tax deduction, currently \$150, and creates potential increase in local costs for property tax exemption available to severely disabled veterans. OLS estimates these additional costs, based on the estimated number of additional qualifying veterans, would be minimal.

BILL DESCRIPTION

Senate Bill No. 1894 of 2000 extends eligibility for certain veterans' benefits to veterans who served in the Armed Forces of the United States in the Lebanon Crisis of 1958.

Specifically, the bill defines as a veteran any person who has served in the Lebanon crisis, on or after July 1, 1958, who has served in Lebanon or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 1, 1958 or the date of termination of that conflict, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as provided in the bill.

The bill amends the definition of veteran in five statutes to provide eligibility for (1) civil service preference; (2) enhanced retirement benefits and purchase of service credit in the Teachers' Pension and Annuity Fund (TPAF) and the Public Employees' Retirement System (PERS); (3) the purchase of service credit in the Police and Firemen's Retirement System (PFRS); and (4) an annual veterans' property tax deduction (currently \$100, increasing to \$250 by FY 2003) or exemption (for severely disabled persons).

FISCAL ANALYSIS

EXECUTIVE BRANCH

The Department of Treasury has provided an estimate only for the additional cost of the enhanced PERS and TPAF retirement benefits proposed by the bill (sections 2 and 3); the department notes that other costs may result from the bill's enactment. The department estimates additional pension costs, which will become payable in the second fiscal year following enactment of the bill, will be \$75,000 for the State and \$62,000 for local government employers, for a total of \$137,000. (There is a two year lag from the date additional pension liabilities are valued to the date they are actually billed.) Pension costs are anticipated to increase by 5.95 percent for each subsequent year. The additional pension liability estimates are based on the 1999 Actuarial Valuation Reports for the PERS and the TPAF.

The estimated number of members qualifying as veterans under this bill is approximately 47 State employee veterans in PERS, 105 local government employee veterans in PERS, and 28 teacher veterans in TPAF. These numbers were derived by the department using the total population of Armed Forces personnel deployed for the named conflict and then calculating the percentage from New Jersey and the percentage in public employment.

The Department of Treasury also estimates that in the initial year of implementation, the Division of Pensions and Benefits will incur implementation costs of \$200,000, \$100,000 for materials and supplies and \$100,000 for data processing.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services concurs with the Executive Estimate, but notes that the OLS knows of no federal or State statistics that provide specific numbers for veterans in New Jersey who would qualify under the provisions of this bill. Therefore, the OLS cannot confirm or dispute the accuracy of the number of veterans used by the department in its calculation.

However, the OLS believes that the number of qualifying veterans will be less than that estimated by the department given the scope of the named conflict and the number of years that have past since its end, so the fiscal impact may be fairly insignificant. In addition, the OLS notes that the administrative costs of the Division of Pensions and Benefits (estimated for this bill to be \$200,000 for the first year of implementation) are paid through assessments on the pensions systems administered by the division, not from the State General Fund.

Additionally, the bill could impact State costs for the provision of veterans' civil service preference in public employment. The OLS estimates that this impact should result in little or no additional State cost.

State costs would increase to offset the local property tax deduction available to veterans, currently \$150, and there may be a potential increase in local costs for property tax exemption available to severely disabled veterans. The OLS estimates these additional costs, based on the estimated number of additional qualifying veterans, would be minimal.

Finally, because the bill does not provide a funding source other than the property tax for the potential additional costs that local government employers will realize as a result of this bill, the bill may be considered an unfunded State mandate unless enacted in accordance with the procedure set forth in the State Constitution for the enactment of such bills.

Section: *State Government*

Analyst: *Shaun P. Ferguson*
Assistant Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This fiscal note has been prepared pursuant to P.L.1980, c.67.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1894

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 26, 2001

The Senate State Government Committee reports favorably and with committee amendments Senate, No. 1894.

This bill extends eligibility for veterans benefits to veterans of the Lebanon Crisis of 1958. The bill amends the definition of veteran to provide these persons with eligibility for: (1) civil service preference; (2) enhanced retirement benefits in the Teachers' Pension and Annuity Fund (TPAF) and the Public Employees' Retirement System (PERS); (3) purchasing military service credit in the Police and Firemen's Retirement System (PFRS); and (4) the annual veterans property tax deduction.

The bill defines as a veteran any person who served in Lebanon on or after July 1, 1958 or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 1, 1958 or the date of termination of that conflict, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service. Any person receiving an actual service-incurred injury or disability will be classed as a veteran whether or not that person has completed the 14 days' service provided by the bill.

According to the fiscal note to the bill, the Department of the Treasury estimates the "number of members qualifying as veterans under this bill is approximately 47 State employee veterans in PERS, 105 local government employee veterans in PERS, and 28 teacher veterans in TPAF. However, the OLS believes that the number of qualifying veterans will be less than that estimated by the department given the scope of the named conflict and the number of years that have past since its end, so the fiscal impact may be fairly insignificant."

The committee amended the bill to provide that the State will be liable for any increased PERS costs to local government employers as a result of this bill and to update a section of the bill to the most recent version of the law.

[First Reprint]

SENATE, No. 1894

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED NOVEMBER 13, 2000

Sponsored by:

Senator JOSEPH M. KYRILLOS, JR.

District 13 (Middlesex and Monmouth)

SYNOPSIS

Expands certain veterans' benefits to certain participants in the Lebanon Crisis of 1958.

CURRENT VERSION OF TEXT

As reported by the Senate State Government Committee on February 26, 2001, with amendments.



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2

1 AN ACT concerning the qualification of certain persons as veterans for
2 certain purposes ¹[and],¹ amending various parts of the statutory
3 law ¹and supplementing P.L.1954, c.84 (C.43:15A-1 et seq.)¹ .
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 ¹[1. N.J.S.11A:5-1 is amended to read as follows:

9 11A:5-1. Definitions. As used in this chapter:

10 a. "Disabled veteran" means any veteran who is eligible to be
11 compensated for a service-connected disability from war service by the
12 United States Veterans Administration or who receives or is entitled
13 to receive equivalent compensation for a service-connected disability
14 which arises out of military or naval service as set forth in this chapter
15 and who has submitted sufficient evidence of the record of disability
16 incurred in the line of duty to the Adjutant General of the Department
17 of Military and Veterans' Affairs on or before the closing date for
18 filing an application for an examination;

19 b. "Veteran" means any honorably discharged soldier, sailor,
20 marine or nurse who served in any army or navy of the allies of the
21 United States in World War I, between July 14, 1914 and November
22 11, 1918, or who served in any army or navy of the allies of the United
23 States in World War II, between September 1, 1939 and September 2,
24 1945 and who was inducted into that service through voluntary
25 enlistment, and was a citizen of the United States at the time of the
26 enlistment, and who did not renounce or lose his or her United States
27 citizenship; or any soldier, sailor, marine, airman, nurse or army field
28 clerk, who has served in the active military or naval service of the
29 United States and has been discharged or released under other than
30 dishonorable conditions from that service in any of the following wars
31 or conflicts and who has presented to the Adjutant General of the
32 Department of Military and Veterans' Affairs sufficient evidence of the
33 record of service on or before the closing date for filing an application
34 for an examination:

35 (1) World War I, between April 6, 1917 and November 11, 1918;

36 (2) World War II, on or after September 16, 1940, who shall have
37 served at least 90 days beginning on or before December 31, 1946 in
38 such active service, exclusive of any period of assignment for a course
39 of education or training under the Army Specialized Training Program
40 or the Navy College Training Program, which course was a
41 continuation of a civilian course and was pursued to completion, or as

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly SSG committee amendments adopted February 26, 2001.

1 a cadet or midshipman at one of the service academies; except that any
2 person receiving an actual service-incurred injury or disability shall be
3 classed a veteran whether or not that person has completed the 90-day
4 service;

5 (3) Korean conflict, on or after June 23, 1950, who shall have
6 served at least 90 days beginning on or before January 31, 1955, in
7 active service, exclusive of any period of assignment for a course of
8 education or training under the Army Specialized Training Program or
9 the Navy College Training Program, which course was a continuation
10 of a civilian course and was pursued to completion, or as a cadet or
11 midshipman at one of the service academies; except that any person
12 receiving an actual service-incurred injury or disability shall be classed
13 as a veteran, whether or not that person has completed the 90-day
14 service;

15 (4) Lebanon crisis, on or after July 1, 1958, who has served in
16 Lebanon or on board any ship actively engaged in patrolling the
17 territorial waters of that nation for a period, continuous or in the
18 aggregate, of at least 14 days commencing on or before November 1,
19 1958 or the date of termination of that conflict, as proclaimed by the
20 President of the United States or Congress, whichever date of
21 termination is the latest, in such active service; provided, that any
22 person receiving an actual service-incurred injury or disability shall be
23 classed as a veteran whether or not that person has completed the 14
24 days' service as herein provided;

25 (5) Vietnam conflict, on or after December 31, 1960, who shall
26 have served at least 90 days beginning on or before May 7, 1975, in
27 active service, exclusive of any period of assignment for a course of
28 education or training under the Army Specialized Training Program or
29 the Navy College Training Program, which course was a continuation
30 of a civilian course and was pursued to completion, or as a cadet or
31 midshipman at one of the service academies, and exclusive of any
32 service performed pursuant to the provisions of section 511(d) of Title
33 10, United States Code, or exclusive of any service performed
34 pursuant to enlistment in the National Guard or the Army Reserve,
35 Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast
36 Guard Reserve; except that any person receiving an actual
37 service-incurred injury or disability shall be classed as a veteran,
38 whether or not that person has completed the 90-day service as
39 provided;

40 [(5)] (6) Lebanon peacekeeping mission, on or after September
41 26, 1982, who has served in Lebanon or on board any ship actively
42 engaged in patrolling the territorial waters of that nation for a period,
43 continuous or in the aggregate, of at least 14 days commencing on or
44 before December 1, 1987 or the date of termination of that mission, as
45 proclaimed by the President of the United States or Congress,
46 whichever date of termination is the latest, in such active service;

1 provided, that any person receiving an actual service-incurred injury
2 or disability shall be classed as a veteran whether or not that person
3 has completed the 14 days' service as herein provided;

4 ~~[(6)]~~ (7) Grenada peacekeeping mission, on or after October 23,
5 1983, who has served in Grenada or on board any ship actively
6 engaged in patrolling the territorial waters of that nation for a period,
7 continuous or in the aggregate, of at least 14 days commencing on or
8 before November 21, 1983 or the date of termination of that mission,
9 as proclaimed by the President of the United States or Congress,
10 whichever date of termination is the latest, in such active service;
11 provided, that any person receiving an actual service-incurred injury
12 or disability shall be classed as a veteran whether or not that person
13 has completed the 14 days' service as herein provided;

14 ~~[(7)]~~ (8) Panama peacekeeping mission, on or after December 20,
15 1989 or the date of inception of that mission, as proclaimed by the
16 President of the United States or Congress, whichever date of
17 inception is earliest, who has served in Panama or on board any ship
18 actively engaged in patrolling the territorial waters of that nation for
19 a period, continuous or in the aggregate, of at least 14 days
20 commencing on or before January 31, 1990 or the date of termination
21 of that mission, as proclaimed by the President of the United States or
22 Congress, whichever date of termination is the latest, in such active
23 service; provided, that any person receiving an actual service-incurred
24 injury or disability shall be classed as a veteran whether or not that
25 person has completed the 14 days' service as herein provided;

26 ~~[(8)]~~ (9) Operation "Desert Shield/Desert Storm" mission in the
27 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
28 the date of inception of that operation, as proclaimed by the President
29 of the United States or Congress, whichever date of inception is
30 earliest, who has served in the Arabian peninsula or on board any ship
31 actively engaged in patrolling the Persian Gulf for a period, continuous
32 or in the aggregate, of at least 14 days commencing on or before the
33 date of termination of that mission, as proclaimed by the President of
34 the United States or Congress, whichever date of termination is the
35 latest, in such active service; provided, that any person receiving an
36 actual service-incurred injury or disability shall be classed as a veteran
37 whether or not that person has completed the 14 days' service as
38 herein provided;

39 ~~[(9)]~~ (10) Operation "Restore Hope" in Somalia, commencing on
40 or after December 5, 1992, or the date of inception of that operation
41 as proclaimed by the President of the United States or the Congress,
42 whichever date is earliest, and terminating on March 31, 1994, or the
43 date of termination as proclaimed by the President of the United States
44 or the Congress, whichever date is latest, who served for at least 14
45 days, continuously or in the aggregate, in Somalia or on board any
46 ship actively engaged in patrolling the territorial waters of that nation

1 during the specified period; provided that any person receiving an
2 actual service-incurred injury or disability shall be classed as a veteran
3 whether or not that person has completed the 14-day service as herein
4 provided; and

5 **[(10)] (11)** Operations "Joint Endeavor" and "Joint Guard" in the
6 Republic of Bosnia and Herzegovina, commencing on or after
7 November 20, 1995 or December 20, 1996, as the case may be, and
8 terminating on December 20, 1996 or on such date as the United
9 States Secretary of Defense may designate, as the case may be, who
10 served in direct support of one or both of the operations for at least 14
11 days, continuously or in the aggregate, and (1) was deployed in that
12 nation or in another area in the region, or (2) was on board a United
13 States naval vessel operating in the Adriatic Sea, or (3) operated in
14 airspace above the Republic of Bosnia and Herzegovina; provided that
15 any person receiving an actual service-incurred injury or disability shall
16 be classed as a veteran whether or not that person completed the
17 14-day service requirement;

18 c. "War service" means service by a veteran in any war or conflict
19 described in this chapter during the periods specified.

20 (cf: P.L.2000, c.127, s.2)]¹

21

22 ¹1. N.J.S.11A:5-1 is amended to read as follows:

23 11A:5-1. Definitions. As used in this chapter:

24 a. "Disabled veteran" means any veteran who is eligible to be
25 compensated for a service-connected disability from war service by the
26 United States Veterans Administration or who receives or is entitled
27 to receive equivalent compensation for a service-connected disability
28 which arises out of military or naval service as set forth in this chapter
29 and who has submitted sufficient evidence of the record of disability
30 incurred in the line of duty to the Adjutant General of the Department
31 of Military and Veterans' Affairs on or before the closing date for
32 filing an application for an examination;

33 b. "Veteran" means any honorably discharged soldier, sailor,
34 marine or nurse who served in any army or navy of the allies of the
35 United States in World War I, between July 14, 1914 and November
36 11, 1918, or who served in any army or navy of the allies of the United
37 States in World War II, between September 1, 1939 and September 2,
38 1945 and who was inducted into that service through voluntary
39 enlistment, and was a citizen of the United States at the time of the
40 enlistment, and who did not renounce or lose his or her United States
41 citizenship; or any soldier, sailor, marine, airman, nurse or army field
42 clerk, who has served in the active military or naval service of the
43 United States and has been discharged or released under other than
44 dishonorable conditions from that service in any of the following wars
45 or conflicts and who has presented to the Adjutant General of the
46 Department of Military and Veterans' Affairs sufficient evidence of the

1 record of service on or before the closing date for filing an application
2 for an examination:

3 (1) World War I, between April 6, 1917 and November 11, 1918;

4 (2) World War II, on or after September 16, 1940, who shall have
5 served at least 90 days beginning on or before December 31, 1946 in
6 such active service, exclusive of any period of assignment for a course
7 of education or training under the Army Specialized Training Program
8 or the Navy College Training Program, which course was a
9 continuation of a civilian course and was pursued to completion, or as
10 a cadet or midshipman at one of the service academies; except that any
11 person receiving an actual service-incurred injury or disability shall be
12 classed a veteran whether or not that person has completed the 90-day
13 service;

14 (3) Korean conflict, on or after June 23, 1950, who shall have
15 served at least 90 days beginning on or before January 31, 1955, in
16 active service, exclusive of any period of assignment for a course of
17 education or training under the Army Specialized Training Program or
18 the Navy College Training Program, which course was a continuation
19 of a civilian course and was pursued to completion, or as a cadet or
20 midshipman at one of the service academies; except that any person
21 receiving an actual service-incurred injury or disability shall be classed
22 as a veteran, whether or not that person has completed the 90-day
23 service;

24 (4) Lebanon crisis, on or after July 1, 1958, who has served in
25 Lebanon or on board any ship actively engaged in patrolling the
26 territorial waters of that nation for a period, continuous or in the
27 aggregate, of at least 14 days commencing on or before November 1,
28 1958 or the date of termination of that conflict, as proclaimed by the
29 President of the United States or Congress, whichever date of
30 termination is the latest, in such active service; provided, that any
31 person receiving an actual service-incurred injury or disability shall be
32 classed as a veteran whether or not that person has completed the 14
33 days' service as herein provided;

34 (5) Vietnam conflict, on or after December 31, 1960, who shall
35 have served at least 90 days beginning on or before May 7, 1975, in
36 active service, exclusive of any period of assignment for a course of
37 education or training under the Army Specialized Training Program or
38 the Navy College Training Program, which course was a continuation
39 of a civilian course and was pursued to completion, or as a cadet or
40 midshipman at one of the service academies, and exclusive of any
41 service performed pursuant to the provisions of section 511(d) of Title
42 10, United States Code, or exclusive of any service performed
43 pursuant to enlistment in the National Guard or the Army Reserve,
44 Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast
45 Guard Reserve; except that any person receiving an actual
46 service-incurred injury or disability shall be classed as a veteran,

1 whether or not that person has completed the 90-day service as
2 provided;

3 ~~[(5)]~~ (6) Lebanon peacekeeping mission, on or after September
4 26, 1982, who has served in Lebanon or on board any ship actively
5 engaged in patrolling the territorial waters of that nation for a period,
6 continuous or in the aggregate, of at least 14 days commencing on or
7 before December 1, 1987 or the date of termination of that mission, as
8 proclaimed by the President of the United States or Congress,
9 whichever date of termination is the latest, in such active service;
10 provided, that any person receiving an actual service-incurred injury
11 or disability shall be classed as a veteran whether or not that person
12 has completed the 14 days' service as herein provided;

13 ~~[(6)]~~ (7) Grenada peacekeeping mission, on or after October 23,
14 1983, who has served in Grenada or on board any ship actively
15 engaged in patrolling the territorial waters of that nation for a period,
16 continuous or in the aggregate, of at least 14 days commencing on or
17 before November 21, 1983 or the date of termination of that mission,
18 as proclaimed by the President of the United States or Congress,
19 whichever date of termination is the latest, in such active service;
20 provided, that any person receiving an actual service-incurred injury
21 or disability shall be classed as a veteran whether or not that person
22 has completed the 14 days' service as herein provided;

23 ~~[(7)]~~ (8) Panama peacekeeping mission, on or after December 20,
24 1989 or the date of inception of that mission, as proclaimed by the
25 President of the United States or Congress, whichever date of
26 inception is earliest, who has served in Panama or on board any ship
27 actively engaged in patrolling the territorial waters of that nation for
28 a period, continuous or in the aggregate, of at least 14 days
29 commencing on or before January 31, 1990 or the date of termination
30 of that mission, as proclaimed by the President of the United States or
31 Congress, whichever date of termination is the latest, in such active
32 service; provided, that any person receiving an actual service-incurred
33 injury or disability shall be classed as a veteran whether or not that
34 person has completed the 14 days' service as herein provided;

35 ~~[(8)]~~ (9) Operation "Desert Shield/Desert Storm" mission in the
36 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
37 the date of inception of that operation, as proclaimed by the President
38 of the United States or Congress, whichever date of inception is
39 earliest, who has served in the Arabian peninsula or on board any ship
40 actively engaged in patrolling the Persian Gulf for a period, continuous
41 or in the aggregate, of at least 14 days commencing on or before the
42 date of termination of that mission, as proclaimed by the President of
43 the United States or Congress, whichever date of termination is the
44 latest, in such active service; provided, that any person receiving an
45 actual service-incurred injury or disability shall be classed as a veteran
46 whether or not that person has completed the 14 days' service as

1 herein provided;

2 ~~[(9)]~~ (10) Operation "Restore Hope" in Somalia, commencing on
3 or after December 5, 1992, or the date of inception of that operation
4 as proclaimed by the President of the United States or the Congress,
5 whichever date is earliest, and terminating on March 31, 1994, or the
6 date of termination as proclaimed by the President of the United States
7 or the Congress, whichever date is latest, who served for at least 14
8 days, continuously or in the aggregate, in Somalia or on board any
9 ship actively engaged in patrolling the territorial waters of that nation
10 during the specified period; provided that any person receiving an
11 actual service-incurred injury or disability shall be classed as a veteran
12 whether or not that person has completed the 14-day service as herein
13 provided;

14 ~~[(10)]~~ (11) Operations "Joint Endeavor" and "Joint Guard" in the
15 Republic of Bosnia and Herzegovina, commencing on or after
16 November 20, 1995 or December 20, 1996, as the case may be, and
17 terminating on December 20, 1996 or on such date as the United
18 States Secretary of Defense may designate, as the case may be, who
19 served in direct support of one or both of the operations for at least 14
20 days, continuously or in the aggregate, and (1) was deployed in that
21 nation or in another area in the region, or (2) was on board a United
22 States naval vessel operating in the Adriatic Sea, or (3) operated in
23 airspace above the Republic of Bosnia and Herzegovina; provided that
24 any person receiving an actual service-incurred injury or disability shall
25 be classed as a veteran whether or not that person completed the
26 14-day service requirement; and

27 ~~[(11)]~~ (12) Operation "Uphold Democracy" in Haiti, commencing
28 on or after September 19, 1994 and terminating on or before March
29 31, 1995 who served in Haiti or on board any ship actively engaged in
30 patrolling the territorial waters of that nation for a period,
31 continuously or in the aggregate, of at least 14 days in such active
32 service and who received an Armed Forces Expeditionary Medal for
33 such service; provided, that any person receiving an actual
34 service-incurred injury or disability shall be classed as a veteran
35 whether or not that person has completed the 14 days' service as
36 herein provided or received an Armed Forces Expeditionary Medal.

37 c. "War service" means service by a veteran in any war or conflict
38 described in this chapter during the periods specified.¹

39 (cf: P.L.2000, c.146, s.1)

40

41 2. N.J.S.18A:66-2 is amended to read as follows:

42 18A:66-2. As used in this article:

43 a. "Accumulated deductions" means the sum of all the amounts,
44 deducted from the compensation of a member or contributed by or in
45 behalf of the member, including interest credited to January 1, 1956,
46 standing to the credit of the member's individual account in the annuity

- 1 savings fund.
- 2 b. "Annuity" means payments for life derived from the accumulated
3 deductions of a member as provided in this article.
- 4 c. "Beneficiary" means any person receiving a retirement allowance
5 or other benefit as provided in this article.
- 6 d. "Compensation" means the contractual salary, for services as a
7 teacher as defined in this article, which is in accordance with
8 established salary policies of the member's employer for all employees
9 in the same position but shall not include individual salary adjustments
10 which are granted primarily in anticipation of the member's retirement
11 or additional remuneration for performing temporary or extracurricular
12 duties beyond the regular school day or the regular school year.
- 13 e. "Employer" means the State, the board of education or any
14 educational institution or agency of or within the State by which a
15 teacher is paid.
- 16 f. "Final compensation" means the average annual compensation
17 for which contributions are made for the three years of creditable
18 service in New Jersey immediately preceding the member's retirement
19 or death, or it shall mean the average annual compensation for New
20 Jersey service for which contributions are made during any three fiscal
21 years of his or her membership providing the largest possible benefit
22 to the member or the member's beneficiary.
- 23 g. "Fiscal year" means any year commencing with July 1, and
24 ending with June 30, next following.
- 25 h. "Pension" means payments for life derived from appropriations
26 made by the State or employers to the Teachers' Pension and Annuity
27 Fund.
- 28 i. "Annuity reserve" means the present value of all payments to be
29 made on account of any annuity or benefit in lieu of an annuity,
30 granted under the provisions of this article, computed on the basis of
31 such mortality tables recommended by the actuary as the board of
32 trustees adopts, with regular interest.
- 33 j. "Pension reserve" means the present value of all payments to be
34 made on account of any pension or benefit in lieu of a pension granted
35 to a member from the Teachers' Pension and Annuity Fund, computed
36 on the basis of such mortality tables recommended by the actuary as
37 the board of trustees adopts, with regular interest.
- 38 k. "Present-entrant" means any member of the Teachers' Pension
39 and Annuity Fund who had established status as a "present-entrant
40 member" of said fund prior to January 1, 1956.
- 41 l. "Rate of contribution initially certified" means the rate of
42 contribution certified by the retirement system in accordance with
43 N.J.S.18A:66-29.
- 44 m. "Regular interest" shall mean interest as determined by the State
45 Treasurer, after consultation with the Directors of the Divisions of
46 Investment and Pensions, the board of trustees and the actuary. It

1 shall bear a reasonable relationship to the percentage rate of earnings
2 on investments based on the market value of assets but shall not
3 exceed the assumed percentage rate of increase applied to salaries plus
4 3%, provided however that the board of trustees shall not set the
5 average percentage rate of increase applied to salaries below 6%.

6 n. "Retirement allowance" means the pension plus the annuity.

7 o. "School service" means any service as a "teacher" as defined in
8 this section.

9 p. "Teacher" means any regular teacher, special teacher, helping
10 teacher, teacher clerk, principal, vice-principal, supervisor, supervising
11 principal, director, superintendent, city superintendent, assistant city
12 superintendent, county superintendent, State Commissioner or
13 Assistant Commissioner of Education, members of the State
14 Department of Education who are certificated, unclassified
15 professional staff and other members of the teaching or professional
16 staff of any class, public school, high school, normal school, model
17 school, training school, vocational school, truant reformatory school,
18 or parental school, and of any and all classes or schools within the
19 State conducted under the order and superintendence, and wholly or
20 partly at the expense of the State Board of Education, of a duly
21 elected or appointed board of education, board of school directors, or
22 board of trustees of the State or of any school district or normal
23 school district thereof, and any persons under contract or engagement
24 to perform one or more of these functions. It shall also mean any
25 person who serves, while on an approved leave of absence from
26 regular duties as a teacher, as an officer of a local, county or State
27 labor organization which represents, or is affiliated with an
28 organization which represents, teachers as defined in this subsection.
29 No person shall be deemed a teacher within the meaning of this article
30 who is a substitute teacher. In all cases of doubt the board of trustees
31 shall determine whether any person is a teacher as defined in this
32 article.

33 q. "Teachers' Pension and Annuity Fund," hereinafter referred to
34 as the "retirement system" or "system," is the corporate name of the
35 arrangement for the payment of retirement allowances and other
36 benefits under the provisions of this article, including the several funds
37 placed under said system. By that name all its business shall be
38 transacted, its funds invested, warrants for money drawn, and
39 payments made and all of its cash and securities and other property
40 held.

41 r. "Veteran" means any honorably discharged officer, soldier,
42 sailor, airman, marine or nurse who served in any Army, Air Force or
43 Navy of the Allies of the United States in World War I between July
44 14, 1914, and November 11, 1918, or who served in any Army, Air
45 Force or Navy of the Allies of the United States in World War II,
46 between September 1, 1939, and September 2, 1945, and who was

1 inducted into such service through voluntary enlistment, and was a
2 citizen of the United States at the time of such enlistment, and who did
3 not, during or by reason of such service, renounce or lose United
4 States citizenship, and any officer, soldier, sailor, marine, airman,
5 nurse or army field clerk who has served in the active military or naval
6 service of the United States and has or shall be discharged or released
7 therefrom under conditions other than dishonorable, in any of the
8 following wars, uprisings, insurrections, expeditions or emergencies,
9 and who has presented to the retirement system evidence of such
10 record of service in form and content satisfactory to said retirement
11 system:

12 (1) The Indian wars and uprisings during any of the periods
13 recognized by the War Department of the United States as periods of
14 active hostility;

15 (2) The Spanish-American War between April 20, 1898, and
16 April 11, 1899;

17 (3) The Philippine insurrections and expeditions during the periods
18 recognized by the War Department of the United States as of active
19 hostility from February 4, 1899, to the end of 1913;

20 (4) The Peking relief expedition between June 20, 1900, and
21 May 27, 1902;

22 (5) The army of Cuban occupation between July 18, 1898, and
23 May 20, 1902;

24 (6) The army of Cuban pacification between October 6, 1906, and
25 April 1, 1909;

26 (7) The Mexican punitive expedition between March 14, 1916, and
27 February 7, 1917;

28 (8) The Mexican border patrol, having actually participated in
29 engagements against Mexicans between April 12, 1911, and June 16,
30 1919;

31 (9) World War I, between April 6, 1917, and November 11, 1918;

32 (10) World War II, between September 16, 1940, and December
33 31, 1946, who shall have served at least 90 days in such active service,
34 exclusive of any period of assignment (1) for a course of education or
35 training under the Army Specialized Training Program or the Navy
36 College Training Program, which course was a continuation of a
37 civilian course and was pursued to completion, or (2) as a cadet or
38 midshipman at one of the service academies, any part of which 90 days
39 was served between said dates; provided that any person receiving an
40 actual service-incurred injury or disability shall be classed as a veteran,
41 whether or not that person has completed the 90-day service as herein
42 provided;

43 (11) Korean conflict on or after June 23, 1950, and on or prior to
44 January 31, 1955, who shall have served at least 90 days in such active
45 service, exclusive of any period of assignment (1) for a course of
46 education or training under the Army Specialized Training Program or

1 the Navy College Training Program, which course was a continuation
2 of a civilian course and was pursued to completion, or (2) as a cadet
3 or midshipman at one of the service academies, any part of which
4 90 days was served between said dates; provided that any person
5 receiving an actual service-incurred injury or disability shall be classed
6 as a veteran, whether or not that person has completed the 90-day
7 service as herein provided; and provided further that any member
8 classed as a veteran pursuant to this subsection prior to August 1,
9 1966, shall continue to be classed as a veteran, whether or not that
10 person completed the 90-day service between said dates as herein
11 provided;

12 (12) Lebanon crisis, on or after July 1, 1958, who has served in
13 Lebanon or on board any ship actively engaged in patrolling the
14 territorial waters of that nation for a period, continuous or in the
15 aggregate, of at least 14 days commencing on or before November 1,
16 1958 or the date of termination of that conflict, as proclaimed by the
17 President of the United States or Congress, whichever date of
18 termination is the latest, in such active service; provided, that any
19 person receiving an actual service-incurred injury or disability shall be
20 classed as a veteran whether or not that person has completed the 14
21 days' service as herein provided;

22 (13) Vietnam conflict, on or after December 31, 1960, and on or
23 prior to May 7, 1975, who shall have served at least 90 days in such
24 active service, exclusive of any period of assignment (1) for a course
25 of education or training under the Army Specialized Training Program
26 or the Navy College Training Program, which course was a
27 continuation of a civilian course and was pursued to completion, or (2)
28 as a cadet or midshipman at one of the service academies, any part of
29 which 90 days was served between said dates; and exclusive of any
30 service performed pursuant to the provisions of section 511(d) of Title
31 10, United States Code, pursuant to an enlistment in the Army
32 National Guard or as a reserve for service in the Army Reserve, Naval
33 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
34 Reserve; provided that any person receiving an actual service-incurred
35 injury or disability shall be classed as a veteran, whether or not that
36 person has completed the 90-day service as herein provided;

37 [(13)] (14) Lebanon peacekeeping mission, on or after
38 September 26, 1982, who has served in Lebanon or on board any ship
39 actively engaged in patrolling the territorial waters of that nation for
40 a period, continuous or in the aggregate, of at least 14 days
41 commencing on or before December 1, 1987 or the date of termination
42 of that mission, as proclaimed by the President of the United States or
43 Congress, whichever date of termination is the latest, in such active
44 service; provided, that any person receiving an actual service-incurred
45 injury or disability shall be classed as a veteran whether or not that
46 person has completed the 14 days' service as herein provided;

1 [(14)] (15) Grenada peacekeeping mission, on or after
2 October 23, 1983, who has served in Grenada or on board any ship
3 actively engaged in patrolling the territorial waters of that nation for
4 a period, continuous or in the aggregate, of at least 14 days
5 commencing on or before November 21, 1983 or the date of
6 termination of that mission, as proclaimed by the President of the
7 United States or Congress, whichever date of termination is the latest,
8 in such active service; provided, that any person receiving an actual
9 service-incurred injury or disability shall be classed as a veteran
10 whether or not that person has completed the 14 days' service as
11 herein provided;

12 [(15)] (16) Panama peacekeeping mission, on or after
13 December 20, 1989 or the date of inception of that mission, as
14 proclaimed by the President of the United States or Congress,
15 whichever date of inception is earliest, who has served in Panama or
16 on board any ship actively engaged in patrolling the territorial waters
17 of that nation for a period, continuous or in the aggregate, of at least
18 14 days commencing on or before January 31, 1990 or the date of
19 termination of that mission, as proclaimed by the President of the
20 United States or Congress, whichever date of termination is the latest,
21 in such active service; provided, that any person receiving an actual
22 service-incurred injury or disability shall be classed as a veteran
23 whether or not that person has completed the 14 days' service as
24 herein provided;

25 [(16)] (17) Operation "Desert Shield/Desert Storm" mission in
26 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
27 or the date of inception of that operation, as proclaimed by the
28 President of the United States or Congress, whichever date of
29 inception is earliest, who has served in the Arabian peninsula or on
30 board any ship actively engaged in patrolling the Persian Gulf for a
31 period, continuous or in the aggregate, of at least 14 days commencing
32 on or before the date of termination of that mission, as proclaimed by
33 the President of the United States, Congress or the Governor,
34 whichever date of termination is the latest, in such active service;
35 provided, that any person receiving an actual service-incurred injury
36 or disability shall be classed as a veteran whether or not that person
37 has completed the 14 days' service as herein provided.

38 "Veteran" also means any honorably discharged member of the
39 American Merchant Marine who served during World War II and is
40 declared by the United States Department of Defense to be eligible for
41 federal veterans' benefits.

42 s. "Child" means a deceased member's unmarried child either (a)
43 under the age of 18 or (b) of any age who, at the time of the member's
44 death, is disabled because of mental retardation or physical incapacity,
45 is unable to do any substantial, gainful work because of the impairment
46 and the impairment has lasted or can be expected to last for a

1 continuous period of not less than 12 months, as affirmed by the
2 medical board.

3 t. "Widower" means the man to whom a member was married at
4 least five years before the date of her death and to whom she
5 continued to be married until the date of her death and who was
6 receiving at least one-half of his support from the member in the
7 12-month period immediately preceding the member's death or the
8 accident which was the direct cause of the member's death. The
9 dependency of such a widower will be considered terminated by
10 marriage of the widower subsequent to the death of the member. In
11 the event of the payment of an accidental death benefit, the five-year
12 qualification shall be waived.

13 u. "Widow" means the woman to whom a member was married at
14 least five years before the date of his death and to whom he continued
15 to be married until the date of his death and who was receiving at least
16 one-half of her support from the member in the 12-month period
17 immediately preceding the member's death or the accident which was
18 the direct cause of the member's death. The dependency of such a
19 widow will be considered terminated by the marriage of the widow
20 subsequent to the member's death. In the event of the payment of an
21 accidental death benefit, the five-year qualification shall be waived.

22 v. "Parent" means the parent of a member who was receiving at
23 least one-half of the parent's support from the member in the 12-month
24 period immediately preceding the member's death or the accident
25 which was the direct cause of the member's death. The dependency of
26 such a parent will be considered terminated by marriage of the parent
27 subsequent to the death of the member.

28 w. "Medical board" means the board of physicians provided for in
29 N.J.S.18A:66-56.

30 (cf: P.L.1995, c.406, s.2)

31

32 3. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read as
33 follows:

34 6. As used in this act:

35 a. "Accumulated deductions" means the sum of all the amounts,
36 deducted from the compensation of a member or contributed by or on
37 behalf of the member, standing to the credit of the member's individual
38 account in the annuity savings fund.

39 b. "Annuity" means payments for life derived from the accumulated
40 deductions of a member as provided in this act.

41 c. "Annuity reserve" means the present value of all payments to be
42 made on account of any annuity or benefit in lieu of an annuity,
43 granted under the provisions of this act, computed on the basis of such
44 mortality tables recommended by the actuary as the board of trustees
45 adopts, with regular interest.

46 d. "Beneficiary" means any person receiving a retirement allowance

1 or other benefit as provided in this act.

2 e. "Child" means a deceased member's unmarried child either (1)
3 under the age of 18 or (2) of any age who, at the time of the member's
4 death, is disabled because of mental retardation or physical incapacity,
5 is unable to do any substantial, gainful work because of the impairment
6 and the impairment has lasted or can be expected to last for a
7 continuous period of not less than 12 months, as affirmed by the
8 medical board.

9 f. "Parent" shall mean the parent of a member who was receiving
10 at least 1/2 of the parent's support from the member in the 12-month
11 period immediately preceding the member's death or the accident
12 which was the direct cause of the member's death. The dependency of
13 such a parent will be considered terminated by marriage of the parent
14 subsequent to the death of the member.

15 g. "Widower" means the man to whom a member was married at
16 least five years before the date of her death and to whom she
17 continued to be married until the date of her death and who was
18 receiving at least 1/2 of his support from the member in the 12-month
19 period immediately preceding the member's death or the accident
20 which was the direct cause of the member's death. The dependency of
21 such a widower will be considered terminated by marriage of the
22 widower subsequent to the death of the member. In the event of the
23 payment of an accidental death benefit, the five-year qualification shall
24 be waived.

25 h. "Final compensation" means the average annual compensation
26 for which contributions are made for the three years of creditable
27 service in New Jersey immediately preceding the member's retirement
28 or death, or it shall mean the average annual compensation for New
29 Jersey service for which contributions are made during any three fiscal
30 years of his or her membership providing the largest possible benefit
31 to the member or the member's beneficiary.

32 i. "Fiscal year" means any year commencing with July 1 and ending
33 with June 30 next following.

34 j. "Medical board" shall mean the board of physicians provided for
35 in section 17 (C.43:15A-17).

36 k. "Pension" means payments for life derived from appropriations
37 made by the employer as provided in this act.

38 l. "Pension reserve" means the present value of all payments to be
39 made on account of any pension or benefit in lieu of a pension granted
40 under the provisions of this act, computed on the basis of such
41 mortality tables recommended by the actuary as the board of trustees
42 adopts, with regular interest.

43 m. "Public Employees' Retirement System of New Jersey,"
44 hereinafter referred to as the "retirement system" or "system," is the
45 corporate name of the arrangement for the payment of retirement
46 allowances and other benefits under the provisions of this act including

1 the several funds placed under said system. By that name all of its
2 business shall be transacted, its funds invested, warrants for money
3 drawn, and payments made and all of its cash and securities and other
4 property held.

5 n. "Regular interest" shall mean interest as determined by the State
6 Treasurer, after consultation with the Directors of the Divisions of
7 Investment and Pensions, the board of trustees and the actuary. It
8 shall bear a reasonable relationship to the percentage rate of earnings
9 on investments based on the market value of the assets but shall not
10 exceed the assumed percentage rate of increase applied to salaries plus
11 3%, provided however that the board of trustees shall not set the
12 average percentage rate of increase applied to salaries below 6%.

13 o. "Retirement allowance" means the pension plus the annuity.

14 p. "Veteran" means any honorably discharged officer, soldier,
15 sailor, airman, marine or nurse who served in any Army, Air Force or
16 Navy of the Allies of the United States in World War I, between
17 July 14, 1914, and November 11, 1918, or who served in any Army,
18 Air Force or Navy of the Allies of the United States in World War II,
19 between September 1, 1939, and September 2, 1945, and who was
20 inducted into such service through voluntary enlistment, and was a
21 citizen of the United States at the time of such enlistment, and who did
22 not, during or by reason of such service, renounce or lose United
23 States citizenship, and any officer, soldier, sailor, marine, airman,
24 nurse or army field clerk, who has served in the active military or naval
25 service of the United States and has or shall be discharged or released
26 therefrom under conditions other than dishonorable, in any of the
27 following wars, uprisings, insurrections, expeditions, or emergencies,
28 and who has presented to the retirement system evidence of such
29 record of service in form and content satisfactory to said retirement
30 system:

31 (1) The Indian wars and uprisings during any of the periods
32 recognized by the War Department of the United States as periods of
33 active hostility;

34 (2) The Spanish-American War between April 20, 1898, and
35 April 11, 1899;

36 (3) The Philippine insurrections and expeditions during the periods
37 recognized by the War Department of the United States as of active
38 hostility from February 4, 1899, to the end of 1913;

39 (4) The Peking relief expedition between June 20, 1900,
40 and May 27, 1902;

41 (5) The army of Cuban occupation between July 18, 1898, and
42 May 20, 1902;

43 (6) The army of Cuban pacification between October 6, 1906, and
44 April 1, 1909;

45 (7) The Mexican punitive expedition between March 14, 1916, and
46 February 7, 1917;

1 (8) The Mexican border patrol, having actually participated in
2 engagements against Mexicans between April 12, 1911, and June 16,
3 1919;

4 (9) World War I, between April 6, 1917, and November 11, 1918;

5 (10) World War II, between September 16, 1940, and
6 December 31, 1946, who shall have served at least 90 days in such
7 active service, exclusive of any period of assignment (1) for a course
8 of education or training under the Army Specialized Training Program
9 or the Navy College Training Program which course was a
10 continuation of a civilian course and was pursued to completion, or (2)
11 as a cadet or midshipman at one of the service academies any part of
12 which 90 days was served between said dates; provided, that any
13 person receiving an actual service-incurred injury or disability shall be
14 classed as a veteran whether or not that person has completed the
15 90-day service as herein provided;

16 (11) Korean conflict on or after June 23, 1950, and on or prior to
17 January 31, 1955, who shall have served at least 90 days in such active
18 service, exclusive of any period of assignment (1) for a course of
19 education or training under the Army Specialized Training Program or
20 the Navy College Training Program which course was a continuation
21 of a civilian course and was pursued to completion, or (2) as a cadet
22 or midshipman at one of the service academies, any part of which
23 90 days was served between said dates; provided, that any person
24 receiving an actual service-incurred injury or disability shall be classed
25 as a veteran whether or not that person has completed the 90-day
26 service as herein provided; and provided further, that any member
27 classed as a veteran pursuant to this paragraph prior to August 1,
28 1966, shall continue to be classed as a veteran whether or not that
29 person completed the 90-day service between said dates as herein
30 provided;

31 (12) Lebanon crisis, on or after July 1, 1958, who has served in
32 Lebanon or on board any ship actively engaged in patrolling the
33 territorial waters of that nation for a period, continuous or in the
34 aggregate, of at least 14 days commencing on or before November 1,
35 1958 or the date of termination of that conflict, as proclaimed by the
36 President of the United States or Congress, whichever date of
37 termination is the latest, in such active service; provided, that any
38 person receiving an actual service-incurred injury or disability shall be
39 classed as a veteran whether or not that person has completed the 14
40 days' service as herein provided;

41 (13) Vietnam conflict on or after December 31, 1960, and on or
42 prior to May 7, 1975, who shall have served at least 90 days in such
43 active service, exclusive of any period of assignment (1) for a course
44 of education or training under the Army Specialized Training Program
45 or the Navy College Training Program which course was a
46 continuation of a civilian course and was pursued to completion, or (2)

1 as a cadet or midshipman at one of the service academies, any part of
2 which 90 days was served between said dates; and exclusive of any
3 service performed pursuant to the provisions of section 511(d) of Title
4 10, United States Code, pursuant to an enlistment in the Army
5 National Guard or as a reserve for service in the Army Reserve, Naval
6 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
7 Reserve; provided, that any person receiving an actual service-incurred
8 injury or disability shall be classed as a veteran whether or not that
9 person has completed the 90 days' service as herein provided;

10 [(13)] (14) Lebanon peacekeeping mission, on or after
11 September 26, 1982, who has served in Lebanon or on board any ship
12 actively engaged in patrolling the territorial waters of that nation for
13 a period, continuous or in the aggregate, of at least 14 days
14 commencing on or before December 1, 1987 or the date of termination
15 of that mission, as proclaimed by the President of the United States or
16 Congress, whichever date of termination is the latest, in such active
17 service; provided, that any person receiving an actual service-incurred
18 injury or disability shall be classed as a veteran whether or not that
19 person has completed the 14 days' service as herein provided;

20 [(14)] (15) Grenada peacekeeping mission, on or after
21 October 23, 1983, who has served in Grenada or on board any ship
22 actively engaged in patrolling the territorial waters of that nation for
23 a period, continuous or in the aggregate, of at least 14 days
24 commencing on or before November 21, 1983 or the date of
25 termination of that mission, as proclaimed by the President of the
26 United States or Congress, whichever date of termination is the latest,
27 in such active service; provided, that any person receiving an actual
28 service-incurred injury or disability shall be classed as a veteran
29 whether or not that person has completed the 14 days' service as
30 herein provided;

31 [(15)] (16) Panama peacekeeping mission, on or after
32 December 20, 1989 or the date of inception of that mission, as
33 proclaimed by the President of the United States or Congress,
34 whichever date of inception is earliest, who has served in Panama or
35 on board any ship actively engaged in patrolling the territorial waters
36 of that nation for a period, continuous or in the aggregate, of at least
37 14 days commencing on or before January 31, 1990 or the date of
38 termination of that mission, as proclaimed by the President of the
39 United States or Congress, whichever date of termination is the latest,
40 in such active service; provided, that any person receiving an actual
41 service-incurred injury or disability shall be classed as a veteran
42 whether or not that person has completed the 14 days' service as
43 herein provided;

44 [(16)] (17) Operation "Desert Shield/Desert Storm" mission in
45 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
46 or the date of inception of that operation, as proclaimed by the

1 President of the United States, Congress or the Governor, whichever
2 date of inception is earliest, who has served in the Arabian peninsula
3 or on board any ship actively engaged in patrolling the Persian Gulf for
4 a period, continuous or in the aggregate, of at least 14 days
5 commencing on or before the date of termination of that mission, as
6 proclaimed by the President of the United States, Congress or the
7 Governor, whichever date of termination is the latest, in such active
8 service; provided, that any person receiving an actual service-incurred
9 injury or disability shall be classed as a veteran whether or not that
10 person has completed the 14 days' service as herein provided.

11 "Veteran" also means any honorably discharged member of the
12 American Merchant Marine who served during World War II and is
13 declared by the United States Department of Defense to be eligible for
14 federal veterans' benefits.

15 q. "Widow" means the woman to whom a member was married at
16 least five years before the date of his death and to whom he continued
17 to be married until the date of his death and who was receiving at least
18 1/2 of her support from the member in the 12-month period
19 immediately preceding the member's death or the accident which was
20 the direct cause of the member's death. The dependency of such a
21 widow will be considered terminated by the marriage of the widow
22 subsequent to the member's death. In the event of the payment of an
23 accidental death benefit, the five-year qualification shall be waived.

24 r. "Compensation" means the base or contractual salary, for
25 services as an employee, which is in accordance with established salary
26 policies of the member's employer for all employees in the same
27 position but shall not include individual salary adjustments which are
28 granted primarily in anticipation of the member's retirement or
29 additional remuneration for performing temporary or extracurricular
30 duties beyond the regular workday or the regular work year. In cases
31 where salary includes maintenance, the retirement system shall fix the
32 value of that part of the salary not paid in money which shall be
33 considered under this act.

34 (cf: P.L.1995, c.406, s.3)

35

36 ¹4. (New section) The State shall be liable for any increased cost
37 to local government employers participating in the Public Employees'
38 Retirement System, established pursuant to P.L.1954, c.84 (C.43:15A-
39 1 et seq.), as a result of the provisions of this act, P.L. . . . c. (now
40 pending before the Legislature as this bill).¹

41

42 ¹[4.] 5.¹ Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is
43 amended to read as follows:

44 1. For purposes of this act "veteran" means any honorably
45 discharged officer, soldier, sailor, airman, marine or nurse who served
46 in any Army, Air Force or Navy of the Allies of the United States in

1 World War I, between July 14, 1914, and November 11, 1918, or who
2 served in any Army, Air Force or Navy of the Allies of the United
3 States in World War II, between September 1, 1939, and
4 September 2, 1945, and who was inducted into such service through
5 voluntary enlistment, and was a citizen of the United States at the time
6 of such enlistment, and who did not, during or by reason of such
7 service, renounce or lose United States citizenship, and any officer,
8 soldier, sailor, marine, airman, nurse or army field clerk, who has
9 served in the active military or naval service of the United States and
10 has or shall be discharged or released therefrom under conditions other
11 than dishonorable, in any of the following wars, uprisings,
12 insurrections, expeditions, or emergencies, and who has presented to
13 the retirement system evidence of such record of service in form and
14 content satisfactory to said retirement system:

15 (1) The Indian wars and uprisings during any of the periods
16 recognized by the War Department of the United States as periods of
17 active hostility;

18 (2) The Spanish-American War between April 20, 1898, and
19 April 11, 1899;

20 (3) The Philippine insurrections and expeditions during the periods
21 recognized by the War Department of the United States as of active
22 hostility from February 4, 1899, to the end of 1913;

23 (4) The Peking relief expedition between June 20, 1900, and
24 May 27, 1902;

25 (5) The army of Cuban occupation between July 18, 1898, and
26 May 20, 1902;

27 (6) The army of Cuban pacification between October 6, 1906, and
28 April 1, 1909;

29 (7) The Mexican punitive expedition between March 14, 1916, and
30 February 7, 1917;

31 (8) The Mexican border patrol, having actually participated in
32 engagements against Mexicans between April 12, 1911, and June 16,
33 1919;

34 (9) World War I between April 6, 1917, and November 11, 1918;

35 (10) World War II, between September 16, 1940, and
36 December 31, 1946, who shall have served at least 90 days in such
37 active service, exclusive of any period of assignment (1) for a course
38 of education or training under the Army Specialized Training Program
39 or the Navy College Training program which course was a
40 continuation of a civilian course and was pursued to completion, or (2)
41 as a cadet or midshipman at one of the service academies any part of
42 which 90 days was served between said dates; provided, that any
43 person receiving an actual service-incurred injury or disability shall be
44 classed as a veteran whether or not that person has completed the
45 90-day service as herein provided;

46 (11) Korean conflict on or after June 23, 1950, and on or prior to

1 January 31, 1955, who shall have served at least 90 days in such active
2 service, exclusive of any period of assignment (1) for a course of
3 education or training under the Army Specialized Training Program or
4 the Navy College Training Program which course was a continuation
5 of a civilian course and was pursued to completion, or (2) as a cadet
6 or midshipman at one of the service academies, any part of which 90
7 days was served between said dates; provided, that any person
8 receiving an actual service-incurred injury or disability shall be classed
9 as a veteran whether or not that person has completed the 90-day
10 service as herein provided; and provided further, that any member
11 classed as a veteran pursuant to this subparagraph prior to August 1,
12 1966, shall continue to be classed as a veteran whether or not the
13 member completed the 90-day service between said dates as herein
14 provided;

15 (12) Lebanon crisis, on or after July 1, 1958, who has served in
16 Lebanon or on board any ship actively engaged in patrolling the
17 territorial waters of that nation for a period, continuous or in the
18 aggregate, of at least 14 days commencing on or before November 1,
19 1958 or the date of termination of that conflict, as proclaimed by the
20 President of the United States or Congress, whichever date of
21 termination is the latest, in such active service; provided, that any
22 person receiving an actual service-incurred injury or disability shall be
23 classed as a veteran whether or not that person has completed the 14
24 days' service as herein provided;

25 (13) Vietnam conflict on or after December 31, 1960, and on or
26 prior to May 7, 1975, who shall have served at least 90 days in such
27 active service, exclusive of any period of assignment (1) for a course
28 of education or training under the Army Specialized Training Program
29 or the Navy College Training Program which course was a
30 continuation of a civilian course and was pursued to completion, or (2)
31 as a cadet or midshipman at one of the service academies, any part of
32 which 90 days was served between said dates; and exclusive of any
33 service performed pursuant to the provisions of section 511 (d) of
34 Title 10, United States Code, pursuant to an enlistment in the Army
35 National Guard or as a reserve for service in the Army Reserve, Naval
36 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
37 Reserve; provided, that any person receiving an actual service-incurred
38 injury or disability shall be classed as a veteran whether or not that
39 person has completed the 90 days' service as herein provided;

40 [(13)] (14) Lebanon peacekeeping mission, on or after
41 September 26, 1982, who has served in Lebanon or on board any ship
42 actively engaged in patrolling the territorial waters of that nation for
43 a period, continuous or in the aggregate, of at least 14 days
44 commencing on or before December 1, 1987 or the date of termination
45 of that mission, as proclaimed by the President of the United States or
46 Congress, whichever date of termination is the latest, in such active

1 service; provided, that any person receiving an actual service-incurred
2 injury or disability shall be classed as a veteran whether or not that
3 person has completed the 14 days' service as herein provided;

4 [(14)] (15) Grenada peacekeeping mission, on or after
5 October 23, 1983, who has served in Grenada or on board any ship
6 actively engaged in patrolling the territorial waters of that nation for
7 a period, continuous or in the aggregate, of at least 14 days
8 commencing on or before November 21, 1983 or the date of
9 termination of that mission, as proclaimed by the President of the
10 United States or Congress, whichever date of termination is the latest,
11 in such active service; provided, that any person receiving an actual
12 service-incurred injury or disability shall be classed as a veteran
13 whether or not that person has completed the 14 days' service as
14 herein provided;

15 [(15)] (16) Panama peacekeeping mission, on or after
16 December 20, 1989 or the date of inception of that mission, as
17 proclaimed by the President of the United States or Congress,
18 whichever date of inception is earliest, who has served in Panama or
19 on board any ship actively engaged in patrolling the territorial waters
20 of that nation for a period, continuous or in the aggregate, of at least
21 14 days commencing on or before January 31, 1990 or the date of
22 termination of that mission, as proclaimed by the President of the
23 United States or Congress, whichever date of termination is the latest,
24 in such active service; provided, that any person receiving an actual
25 service-incurred injury or disability shall be classed as a veteran
26 whether or not that person has completed the 14 days' service as
27 herein provided;

28 [(16)] (17) Operation "Desert Shield/Desert Storm" mission in
29 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
30 or the date of inception of that operation, as proclaimed by the
31 President of the United States or Congress, whichever date of
32 inception is earliest, who has served in the Arabian peninsula or on
33 board any ship actively engaged in patrolling the Persian Gulf for a
34 period, continuous or in the aggregate, of at least 14 days commencing
35 on or before the date of termination of that mission, as proclaimed by
36 the President of the United States, Congress or the Governor,
37 whichever date of termination is the latest, in such active service;
38 provided, that any person receiving an actual service-incurred injury
39 or disability shall be classed as a veteran whether or not that person
40 has completed the 14 days' service as herein provided.

41 "Veteran" also means any honorably discharged member of the
42 American Merchant Marine who served during World War II and is
43 declared by the United States Department of Defense to be eligible for
44 federal veterans' benefits.

45 (cf: P.L.1995, c.406, s.4)

1 ¹[5.] 6.¹ Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to
2 read as follows:

3 1. (a) "Active service in time of war" means active service at some
4 time during one of the following periods:

5 Operation "Restore Hope" in Somalia, commencing on or after
6 December 5, 1992, or the date of inception of that operation as
7 proclaimed by the President of the United States or the Congress,
8 whichever date is earliest, and terminating on March 31, 1994, or the
9 date of termination as proclaimed by the President of the United States
10 or the Congress, whichever date is latest, who served for at least 14
11 days, continuously or in the aggregate, in Somalia or on board any
12 ship actively engaged in patrolling the territorial waters of that nation
13 during the specified period; provided that any person receiving an
14 actual service-incurred injury or disability shall be classed as a veteran
15 whether or not that person has completed the 14-day service as herein
16 provided;

17 Operations "Joint Endeavor" and "Joint Guard" in the Republic of
18 Bosnia and Herzegovina, commencing on or after November 20, 1995
19 or December 20, 1996, as the case may be, and terminating on
20 December 20, 1996 or on such date as the United States Secretary of
21 Defense may designate, as the case may be, who served in direct
22 support of one or both of the operations for at least 14 days,
23 continuously or in the aggregate, and (1) was deployed in that nation
24 or in another area in the region, or (2) was on board a United States
25 naval vessel operating in the Adriatic Sea, or (3) operated in airspace
26 above the Republic of Bosnia and Herzegovina; provided that any
27 person receiving an actual service-incurred injury or disability shall be
28 classed as a veteran whether or not that person completed the 14-day
29 service requirement;

30 Operation "Desert Shield/Desert Storm" mission in the Arabian
31 peninsula and the Persian Gulf, on or after August 2, 1990 or the date
32 of inception of that operation, as proclaimed by the President of the
33 United States or Congress, whichever date of inception is earliest, who
34 has served in the Arabian peninsula or on board any ship actively
35 engaged in patrolling the Persian Gulf for a period, continuous or in
36 the aggregate, of at least 14 days commencing on or before the date
37 of termination of that mission, as proclaimed by the President of the
38 United States or Congress, whichever date of termination is the latest,
39 in such active service; provided, that any person receiving an actual
40 service-incurred injury or disability shall be classed as a veteran
41 whether or not that person has completed the 14 days' service as
42 herein provided;

43 The Panama peacekeeping mission, on or after December 20, 1989
44 or the date of inception of that mission, as proclaimed by the President
45 of the United States or Congress, whichever date of inception is
46 earliest, who has served in Panama or on board any ship actively

1 engaged in patrolling the territorial waters of that nation for a period,
2 continuous or in the aggregate, of at least 14 days commencing on or
3 before January 31, 1990 or the date of termination of that mission, as
4 proclaimed by the President of the United States or Congress,
5 whichever date of termination is the latest, in such active service;
6 provided, that any person receiving an actual service-incurred injury
7 or disability shall be classed as a veteran whether or not that person
8 has completed the 14 days' service as herein provided;

9 The Grenada peacekeeping mission, on or after October 23, 1983,
10 who has served in Grenada or on board any ship actively engaged in
11 patrolling the territorial waters of that nation for a period, continuous
12 or in the aggregate, of at least 14 days commencing on or before
13 November 21, 1983 or the date of termination of that mission as
14 proclaimed by the President of the United States or Congress,
15 whichever date of termination is the latest, in such active service;
16 provided, that any person receiving an actual service-incurred injury
17 or disability shall be classed as a veteran whether or not that person
18 has completed the 14 days' service as herein provided;

19 The Lebanon peacekeeping mission, on or after September 26, 1982,
20 who has served in Lebanon or on board any ship actively engaged in
21 patrolling the territorial waters of that nation for a period, continuous
22 or in the aggregate, of at least 14 days commencing on or before
23 December 1, 1987 or the date of termination of that mission, as
24 proclaimed by the President of the United States or Congress,
25 whichever date of termination is the latest, in such active service;
26 provided, that any person receiving an actual service-incurred injury
27 or disability shall be classed as a veteran whether or not that person
28 has completed the 14 days' service as herein provided;

29 The Vietnam conflict, December 31, 1960, to May 7, 1975;

30 The Lebanon crisis, on or after July 1, 1958, who has served in
31 Lebanon or on board any ship actively engaged in patrolling the
32 territorial waters of that nation for a period, continuous or in the
33 aggregate, of at least 14 days commencing on or before November 1,
34 1958 or the date of termination of that conflict, as proclaimed by the
35 President of the United States or Congress, whichever date of
36 termination is the latest, in such active service; provided, that any
37 person receiving an actual service-incurred injury or disability shall be
38 classed as a veteran whether or not that person has completed the 14
39 days' service as herein provided;

40 The Korean conflict, June 23, 1950 to January 31, 1955;

41 World War II, September 16, 1940 to December 31, 1946;

42 World War I, April 6, 1917 to November 11, 1918, and in the case
43 of service with the United States military forces in Russia, April 6,
44 1917 to April 1, 1920;

45 Spanish-American War, April 21, 1898 to August 13, 1898;

46 Civil War, April 15, 1861 to May 26, 1865; or, as to any

1 subsequent war, during the period from the date of declaration of war
2 to the date on which actual hostilities shall cease.

3 (b) "Assessor" means the assessor, board of assessors or any other
4 official or body of a taxing district charged with the duty of assessing
5 real and personal property for the purpose of general taxation.

6 (c) "Collector" means the collector or receiver of taxes of a taxing
7 district.

8 (d) "Honorably discharged or released under honorable
9 circumstances from active service in time of war," means and includes
10 every form of separation from active, full-time duty with military or
11 naval pay and allowances in some branch of the Armed Forces of the
12 United States in time of war, other than those marked "dishonorable,"
13 "undesirable," "bad conduct," "by sentence of general court martial,"
14 "by sentence of summary court martial" or similar expression
15 indicating that the discharge or release was not under honorable
16 circumstances. A disenrollment certificate or other form of release
17 terminating temporary service in a military or naval branch of the
18 armed forces rendered on a voluntary and part-time basis without pay,
19 or a release from or deferment of induction into the active military or
20 naval service shall not be deemed to be included in the aforementioned
21 phrase.

22 (e) "Pre-tax year" means the particular calendar year immediately
23 preceding the "tax year."

24 (f) "Resident" means one legally domiciled within the State of New
25 Jersey. Mere seasonal or temporary residence within the State, of
26 whatever duration, shall not constitute domicile within the State for
27 the purposes of this act. Absence from this State for a period of 12
28 months shall be prima facie evidence of abandonment of domicile in
29 this State. The burden of establishing legal domicile within the State
30 shall be upon the claimant.

31 (g) "Tax year" means the particular calendar year in which the
32 general property tax is due and payable.

33 (h) "Veteran" means any citizen and resident of this State
34 honorably discharged or released under honorable circumstances from
35 active service in time of war in any branch of the Armed Forces of the
36 United States.

37 (i) "Veteran's deduction" means the deduction against the taxes
38 payable by any person, allowable pursuant to this act.

39 (j) "Surviving spouse" means the surviving wife or husband of any
40 of the following, while he or she is a resident of this State, during
41 widowhood or widowerhood:

42 1. A citizen and resident of this State who has died or shall die
43 while on active duty in time of war in any branch of the Armed Forces
44 of the United States; or

45 2. A citizen and resident of this State who has had or shall
46 hereafter have active service in time of war in any branch of the Armed

1 Forces of the United States and who died or shall die while on active
2 duty in a branch of the Armed Forces of the United States; or

3 3. A citizen and resident of this State who has been or may
4 hereafter be honorably discharged or released under honorable
5 circumstances from active service in time of war in any branch of the
6 Armed Forces of the United States.

7 (k) "Cooperative" means a housing corporation or association
8 incorporated or organized under the laws of New Jersey which entitles
9 a shareholder thereof to possess and occupy for dwelling purposes a
10 house, apartment or other structure owned or leased by the
11 corporation or association.

12 (l) "Mutual housing corporation" means a corporation
13 not-for-profit incorporated under the laws of New Jersey on a mutual
14 or cooperative basis within the scope of section 607 of the "National
15 Defense Housing Act," Pub.L.76-849 (42 U.S.C.s.1521 et seq.), which
16 acquired a National Defense Housing Project pursuant to that act.

17 (cf: P.L.1998, c.49, s.2)

18

19 ¹[6.] 7.¹ This act shall take effect immediately.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1894

STATE OF NEW JERSEY

DATED: MARCH 15, 2001

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1894 (1R).

This bill extends eligibility for various State veterans' benefits to certain persons who served on active duty in the U.S. Armed Forces during the Lebanon Crisis of 1958.

The benefits for which those acquiring "veteran" status under the bill could qualify are: (1) civil service appointment and promotional preference in employment with the State or with other government employers operating under New Jersey's civil service law, (2) the special veterans' retirement allowance under the Teachers' Pension and Annuity Fund (TPAF) and the Public Employees' Retirement System (PERS), (3) the right of members of the Police and Firemen's Retirement System (PFRS) to purchase pension credit for military service; and (4) the annual veterans' personal property tax deduction.

The persons upon whom the bill confers "veteran" status are those who served in Lebanon on or after July 1, 1958 or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 1, 1958 or the official date of termination of that conflict. These inception and termination dates for the Lebanon Crisis are those recognized by the U.S. Department of Defense for this operation.

Any person otherwise qualifying for veteran status under the bill who received an actual service-incurred injury or disability is to be classed as a veteran whether or not that person completed the 14 days' service requirement.

The provisions of this bill are identical to those of Assembly Bill No. 1330 Sca, which the committee also reports this day.

FISCAL IMPACT

Pensions. The Department of the Treasury estimates that the expansion of eligibility for veterans' retirement benefits will result in additional annual pension costs of \$137,000, payable beginning with the second fiscal year following enactment of the bill and rising at an estimated rate of 5.95 percent in each succeeding year. The State will

be liable for the full amount of these costs. The additional pension liability estimate is based on the 1999 Actuarial Valuation Reports for the PERS and the TPAF. The department projects the number of persons qualifying as veterans under the bill to include roughly 47 State employee veterans in PERS, 105 local government employee veterans in PERS, and 28 teacher veterans in TPAF. The department derived its figures using the total population of Armed Forces personnel deployed for the named conflict and then calculating the percentage from New Jersey and the percentage in public employment.

The Office of Legislative Services (OLS) believes that the number of qualifying veterans will be smaller than that estimated by the department, given the scope of the named conflict and the number of years that have past since its conclusion, so that the fiscal impact may be somewhat less than Treasury projects.

Civil service preference. The OLS notes that the impact of the bill on veterans' civil service preference in public employment is simply to alter the eligibility of candidates for employment or promotion in the classified career service, and that expansion of the preference group under the legislation should result in little or no additional State cost.

Property tax deduction. State costs would increase to offset the local property tax deduction available to veterans, currently \$150, and there may be a potential increase in local costs for property tax exemption available to severely disabled veterans. The OLS estimates these additional costs, based on the estimated number of additional qualifying veterans, would be minimal.

Administrative costs. The Department of the Treasury estimates that in the initial year of implementation, the Division of Pensions and Benefits will incur implementation costs of \$200,000, of which \$100,000 would be for materials and supplies and \$100,000 for data processing. The OLS notes that the division's administrative costs are paid through assessments on the pensions systems administered by the division, not from the State General Fund.

P.L. 2001, CHAPTER 127, *approved June 28, 2001*
Assembly Bill No. 1330 (*First Reprint*)

1 AN ACT concerning the qualification of certain persons as veterans for
2 certain purposes ¹[and],¹ amending various parts of the statutory
3 law ¹and supplementing P.L.1954, c.84 (C.43:15A-1 et seq.)¹.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. N.J.S.11A:5-1 is amended to read as follows:

9 11A:5-1. Definitions. As used in this chapter:

10 a. "Disabled veteran" means any veteran who is eligible to be
11 compensated for a service-connected disability from war service by the
12 United States Veterans Administration or who receives or is entitled
13 to receive equivalent compensation for a service-connected disability
14 which arises out of military or naval service as set forth in this chapter
15 and who has submitted sufficient evidence of the record of disability
16 incurred in the line of duty to the ¹[commissioner] Adjutant General
17 of the Department of Military and Veterans' Affairs¹ on or before the
18 closing date for filing an application for an examination;

19 b. "Veteran" means any honorably discharged soldier, sailor,
20 marine or nurse who served in any army or navy of the allies of the
21 United States in World War I, between July 14, 1914 and November
22 11, 1918, or who served in any army or navy of the allies of the United
23 States in World War II, between September 1, 1939 and September 2,
24 1945 and who was inducted into that service through voluntary
25 enlistment, and was a citizen of the United States at the time of the
26 enlistment, and who did not renounce or lose his or her United States
27 citizenship; or any soldier, sailor, marine, airman, nurse or army field
28 clerk, who has served in the active military or naval service of the
29 United States and has been discharged or released under other than
30 dishonorable conditions from that service in any of the following wars
31 or conflicts and who has presented to the ¹[commissioner] Adjutant
32 General of the Department of Military and Veterans' Affairs¹ sufficient
33 evidence of the record of service on or before the closing date for
34 filing an application for an examination:

35 (1) World War I, between April 6, 1917 and November 11, 1918;

36 (2) World War II, on or after September 16, 1940, who shall have
37 served at least 90 days beginning on or before December 31, 1946 in
38 such active service, exclusive of any period of assignment for a course
39 of education or training under the Army Specialized Training Program

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SBA committee amendments adopted March 15, 2001.

1 or the Navy College Training Program, which course was a
2 continuation of a civilian course and was pursued to completion, or as
3 a cadet or midshipman at one of the service academies; except that any
4 person receiving an actual service-incurred injury or disability shall be
5 classed a veteran whether or not that person has completed the 90-day
6 service;

7 (3) Korean conflict, on or after June 23, 1950, who shall have
8 served at least 90 days beginning on or before January 31, 1955, in
9 active service, exclusive of any period of assignment for a course of
10 education or training under the Army Specialized Training Program or
11 the Navy College Training Program, which course was a continuation
12 of a civilian course and was pursued to completion, or as a cadet or
13 midshipman at one of the service academies; except that any person
14 receiving an actual service-incurred injury or disability shall be classed
15 as a veteran, whether or not that person has completed the 90-day
16 service;

17 (4) Lebanon crisis, on or after July 1, 1958, who has served in
18 Lebanon or on board any ship actively engaged in patrolling the
19 territorial waters of that nation for a period, continuous or in the
20 aggregate, of at least 14 days commencing on or before November 1,
21 1958 or the date of termination of that conflict, as proclaimed by the
22 President of the United States or Congress, whichever date of
23 termination is the latest, in such active service; provided, that any
24 person receiving an actual service-incurred injury or disability shall be
25 classed as a veteran whether or not that person has completed the 14
26 days' service as herein provided;

27 (5) Vietnam conflict, on or after December 31, 1960, who shall
28 have served at least 90 days beginning on or before May 7, 1975, in
29 active service, exclusive of any period of assignment for a course of
30 education or training under the Army Specialized Training Program or
31 the Navy College Training Program, which course was a continuation
32 of a civilian course and was pursued to completion, or as a cadet or
33 midshipman at one of the service academies, and exclusive of any
34 service performed pursuant to the provisions of section 511(d) of Title
35 10, United States Code, or exclusive of any service performed
36 pursuant to enlistment in the National Guard or the Army Reserve,
37 Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast
38 Guard Reserve; except that any person receiving an actual
39 service-incurred injury or disability shall be classed as a veteran,
40 whether or not that person has completed the 90-day service as
41 provided;

42 [(5)] (6) Lebanon peacekeeping mission, on or after
43 September 26, 1982, who has served in Lebanon or on board any ship
44 actively engaged in patrolling the territorial waters of that nation for
45 a period, continuous or in the aggregate, of at least 14 days
46 commencing on or before December 1, 1987 or the date of termination

1 of that mission, as proclaimed by the President of the United States or
2 Congress, whichever date of termination is the latest, in such active
3 service; provided, that any person receiving an actual service-incurred
4 injury or disability shall be classed as a veteran whether or not that
5 person has completed the 14 days' service as herein provided;

6 ~~[(6)]~~ (7) Grenada peacekeeping mission, on or after October 23,
7 1983, who has served in Grenada or on board any ship actively
8 engaged in patrolling the territorial waters of that nation for a period,
9 continuous or in the aggregate, of at least 14 days commencing on or
10 before November 21, 1983 or the date of termination of that mission,
11 as proclaimed by the President of the United States or Congress,
12 whichever date of termination is the latest, in such active service;
13 provided, that any person receiving an actual service-incurred injury
14 or disability shall be classed as a veteran whether or not that person
15 has completed the 14 days' service as herein provided;

16 ~~[(7)]~~ (8) Panama peacekeeping mission, on or after December 20,
17 1989 or the date of inception of that mission, as proclaimed by the
18 President of the United States or Congress, whichever date of
19 inception is earliest, who has served in Panama or on board any ship
20 actively engaged in patrolling the territorial waters of that nation for
21 a period, continuous or in the aggregate, of at least 14 days
22 commencing on or before January 31, 1990 or the date of termination
23 of that mission, as proclaimed by the President of the United States or
24 Congress, whichever date of termination is the latest, in such active
25 service; provided, that any person receiving an actual service-incurred
26 injury or disability shall be classed as a veteran whether or not that
27 person has completed the 14 days' service as herein provided;

28 ~~[(8)]~~ (9) Operation "Desert Shield/Desert Storm" mission in the
29 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
30 the date of inception of that operation, as proclaimed by the President
31 of the United States or Congress, whichever date of inception is
32 earliest, who has served in the Arabian peninsula or on board any ship
33 actively engaged in patrolling the Persian Gulf for a period, continuous
34 or in the aggregate, of at least 14 days commencing on or before the
35 date of termination of that mission, as proclaimed by the President of
36 the United States or Congress, whichever date of termination is the
37 latest, in such active service; provided, that any person receiving an
38 actual service-incurred injury or disability shall be classed as a veteran
39 whether or not that person has completed the 14 days' service as
40 herein provided;

41 ~~[(9)]~~ (10) Operation "Restore Hope" in Somalia, commencing on
42 or after December 5, 1992, or the date of inception of that operation
43 as proclaimed by the President of the United States or the Congress,
44 whichever date is earliest, and terminating on March 31, 1994, or the
45 date of termination as proclaimed by the President of the United States
46 or the Congress, whichever date is latest, who served for at least 14

1 days, continuously or in the aggregate, in Somalia or on board any
2 ship actively engaged in patrolling the territorial waters of that nation
3 during the specified period; provided that any person receiving an
4 actual service-incurred injury or disability shall be classed as a veteran
5 whether or not that person has completed the 14-day service as herein
6 provided; ¹[and]¹

7 ~~[(10)]~~ (11) Operations "Joint Endeavor" and "Joint Guard" in the
8 Republic of Bosnia and Herzegovina, commencing on or after
9 November 20, 1995 or December 20, 1996, as the case may be, and
10 terminating on December 20, 1996 or on such date as the United
11 States Secretary of Defense may designate, as the case may be, who
12 served in direct support of one or both of the operations for at least 14
13 days, continuously or in the aggregate, and (1) was deployed in that
14 nation or in another area in the region, or (2) was on board a United
15 States naval vessel operating in the Adriatic Sea, or (3) operated in
16 airspace above the Republic of Bosnia and Herzegovina; provided that
17 any person receiving an actual service-incurred injury or disability shall
18 be classed as a veteran whether or not that person completed the
19 14-day service requirement; ¹and

20 (12) Operation "Uphold Democracy" in Haiti, commencing on or
21 after September 19, 1994 and terminating on or before March 31,
22 1995 who served in Haiti or on board any ship actively engaged in
23 patrolling the territorial waters of that nation for a period,
24 continuously or in the aggregate, of at least 14 days in such active
25 service and who received an Armed Forces Expeditionary Medal for
26 such service; provided, that any person receiving an actual
27 service-incurred injury or disability shall be classed as a veteran
28 whether or not that person has completed the 14 days' service as
29 herein provided or received an Armed Forces Expeditionary Medal.¹

30 c. "War service" means service by a veteran in any war or conflict
31 described in this chapter during the periods specified.

32 (cf: P.L.2000, c.146, s.1)

33

34 2. N.J.S.18A:66-2 is amended to read as follows:

35 18A:66-2. As used in this article:

36 a. "Accumulated deductions" means the sum of all the amounts,
37 deducted from the compensation of a member or contributed by or in
38 behalf of the member, including interest credited to January 1, 1956,
39 standing to the credit of the member's individual account in the annuity
40 savings fund.

41 b. "Annuity" means payments for life derived from the accumulated
42 deductions of a member as provided in this article.

43 c. "Beneficiary" means any person receiving a retirement allowance
44 or other benefit as provided in this article.

45 d. "Compensation" means the contractual salary, for services as a
46 teacher as defined in this article, which is in accordance with

1 established salary policies of the member's employer for all employees
2 in the same position but shall not include individual salary adjustments
3 which are granted primarily in anticipation of the member's retirement
4 or additional remuneration for performing temporary or extracurricular
5 duties beyond the regular school day or the regular school year.

6 e. "Employer" means the State, the board of education or any
7 educational institution or agency of or within the State by which a
8 teacher is paid.

9 f. "Final compensation" means the average annual compensation
10 for which contributions are made for the three years of creditable
11 service in New Jersey immediately preceding the member's retirement
12 or death, or it shall mean the average annual compensation for New
13 Jersey service for which contributions are made during any three fiscal
14 years of his or her membership providing the largest possible benefit
15 to the member or the member's beneficiary.

16 g. "Fiscal year" means any year commencing with July 1, and
17 ending with June 30, next following.

18 h. "Pension" means payments for life derived from appropriations
19 made by the State or employers to the Teachers' Pension and Annuity
20 Fund.

21 i. "Annuity reserve" means the present value of all payments to be
22 made on account of any annuity or benefit in lieu of an annuity,
23 granted under the provisions of this article, computed on the basis of
24 such mortality tables recommended by the actuary as the board of
25 trustees adopts, with regular interest.

26 j. "Pension reserve" means the present value of all payments to be
27 made on account of any pension or benefit in lieu of a pension granted
28 to a member from the Teachers' Pension and Annuity Fund, computed
29 on the basis of such mortality tables recommended by the actuary as
30 the board of trustees adopts, with regular interest.

31 k. "Present-entrant" means any member of the Teachers' Pension
32 and Annuity Fund who had established status as a "present-entrant
33 member" of said fund prior to January 1, 1956.

34 l. "Rate of contribution initially certified" means the rate of
35 contribution certified by the retirement system in accordance with
36 N.J.S.18A:66-29.

37 m. "Regular interest" shall mean interest as determined by the State
38 Treasurer, after consultation with the Directors of the Divisions of
39 Investment and Pensions, the board of trustees and the actuary. It
40 shall bear a reasonable relationship to the percentage rate of earnings
41 on investments based on the market value of assets but shall not
42 exceed the assumed percentage rate of increase applied to salaries plus
43 3%, provided however that the board of trustees shall not set the
44 average percentage rate of increase applied to salaries below 6%.

45 n. "Retirement allowance" means the pension plus the annuity.

46 o. "School service" means any service as a "teacher" as defined in

1 this section.

2 p. "Teacher" means any regular teacher, special teacher, helping
3 teacher, teacher clerk, principal, vice-principal, supervisor, supervising
4 principal, director, superintendent, city superintendent, assistant city
5 superintendent, county superintendent, State Commissioner or
6 Assistant Commissioner of Education, members of the State
7 Department of Education who are certificated, unclassified
8 professional staff and other members of the teaching or professional
9 staff of any class, public school, high school, normal school, model
10 school, training school, vocational school, truant reformatory school,
11 or parental school, and of any and all classes or schools within the
12 State conducted under the order and superintendence, and wholly or
13 partly at the expense of the State Board of Education, of a duly
14 elected or appointed board of education, board of school directors, or
15 board of trustees of the State or of any school district or normal
16 school district thereof, and any persons under contract or engagement
17 to perform one or more of these functions. It shall also mean any
18 person who serves, while on an approved leave of absence from
19 regular duties as a teacher, as an officer of a local, county or State
20 labor organization which represents, or is affiliated with an
21 organization which represents, teachers as defined in this subsection.
22 No person shall be deemed a teacher within the meaning of this article
23 who is a substitute teacher. In all cases of doubt the board of trustees
24 shall determine whether any person is a teacher as defined in this
25 article.

26 q. "Teachers' Pension and Annuity Fund," hereinafter referred to
27 as the "retirement system" or "system," is the corporate name of the
28 arrangement for the payment of retirement allowances and other
29 benefits under the provisions of this article, including the several funds
30 placed under said system. By that name all its business shall be
31 transacted, its funds invested, warrants for money drawn, and
32 payments made and all of its cash and securities and other property
33 held.

34 r. "Veteran" means any honorably discharged officer, soldier,
35 sailor, airman, marine or nurse who served in any Army, Air Force or
36 Navy of the Allies of the United States in World War I between July
37 14, 1914, and November 11, 1918, or who served in any Army, Air
38 Force or Navy of the Allies of the United States in World War II,
39 between September 1, 1939, and September 2, 1945, and who was
40 inducted into such service through voluntary enlistment, and was a
41 citizen of the United States at the time of such enlistment, and who did
42 not, during or by reason of such service, renounce or lose United
43 States citizenship, and any officer, soldier, sailor, marine, airman,
44 nurse or army field clerk who has served in the active military or naval
45 service of the United States and has or shall be discharged or released
46 therefrom under conditions other than dishonorable, in any of the

1 following wars, uprisings, insurrections, expeditions or emergencies,
2 and who has presented to the retirement system evidence of such
3 record of service in form and content satisfactory to said retirement
4 system:

5 (1) The Indian wars and uprisings during any of the periods
6 recognized by the War Department of the United States as periods of
7 active hostility;

8 (2) The Spanish-American War between April 20, 1898, and
9 April 11, 1899;

10 (3) The Philippine insurrections and expeditions during the periods
11 recognized by the War Department of the United States as of active
12 hostility from February 4, 1899, to the end of 1913;

13 (4) The Peking relief expedition between June 20, 1900, and
14 May 27, 1902;

15 (5) The army of Cuban occupation between July 18, 1898, and
16 May 20, 1902;

17 (6) The army of Cuban pacification between October 6, 1906, and
18 April 1, 1909;

19 (7) The Mexican punitive expedition between March 14, 1916, and
20 February 7, 1917;

21 (8) The Mexican border patrol, having actually participated in
22 engagements against Mexicans between April 12, 1911, and June 16,
23 1919;

24 (9) World War I, between April 6, 1917, and November 11, 1918;

25 (10) World War II, between September 16, 1940, and
26 December 31, 1946, who shall have served at least 90 days in such
27 active service, exclusive of any period of assignment (1) for a course
28 of education or training under the Army Specialized Training Program
29 or the Navy College Training Program, which course was a
30 continuation of a civilian course and was pursued to completion, or (2)
31 as a cadet or midshipman at one of the service academies, any part of
32 which 90 days was served between said dates; provided that any
33 person receiving an actual service-incurred injury or disability shall be
34 classed as a veteran, whether or not that person has completed the
35 90-day service as herein provided;

36 (11) Korean conflict on or after June 23, 1950, and on or prior to
37 January 31, 1955, who shall have served at least 90 days in such active
38 service, exclusive of any period of assignment (1) for a course of
39 education or training under the Army Specialized Training Program or
40 the Navy College Training Program, which course was a continuation
41 of a civilian course and was pursued to completion, or (2) as a cadet
42 or midshipman at one of the service academies, any part of which
43 90 days was served between said dates; provided that any person
44 receiving an actual service-incurred injury or disability shall be classed
45 as a veteran, whether or not that person has completed the 90-day
46 service as herein provided; and provided further that any member

1 classed as a veteran pursuant to this subsection prior to August 1,
2 1966, shall continue to be classed as a veteran, whether or not that
3 person completed the 90-day service between said dates as herein
4 provided;

5 (12) Lebanon crisis, on or after July 1, 1958, who has served in
6 Lebanon or on board any ship actively engaged in patrolling the
7 territorial waters of that nation for a period, continuous or in the
8 aggregate, of at least 14 days commencing on or before November 1,
9 1958 or the date of termination of that conflict, as proclaimed by the
10 President of the United States or Congress, whichever date of
11 termination is the latest, in such active service; provided, that any
12 person receiving an actual service-incurred injury or disability shall be
13 classed as a veteran whether or not that person has completed the 14
14 days' service as herein provided;

15 (13) Vietnam conflict, on or after December 31, 1960, and on or
16 prior to May 7, 1975, who shall have served at least 90 days in such
17 active service, exclusive of any period of assignment (1) for a course
18 of education or training under the Army Specialized Training Program
19 or the Navy College Training Program, which course was a
20 continuation of a civilian course and was pursued to completion, or (2)
21 as a cadet or midshipman at one of the service academies, any part of
22 which 90 days was served between said dates; and exclusive of any
23 service performed pursuant to the provisions of section 511(d) of Title
24 10, United States Code, pursuant to an enlistment in the Army
25 National Guard or as a reserve for service in the Army Reserve, Naval
26 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
27 Reserve; provided that any person receiving an actual service-incurred
28 injury or disability shall be classed as a veteran, whether or not that
29 person has completed the 90-day service as herein provided;

30 [(13)] (14) Lebanon peacekeeping mission, on or after
31 September 26, 1982, who has served in Lebanon or on board any ship
32 actively engaged in patrolling the territorial waters of that nation for
33 a period, continuous or in the aggregate, of at least 14 days
34 commencing on or before December 1, 1987 or the date of termination
35 of that mission, as proclaimed by the President of the United States or
36 Congress, whichever date of termination is the latest, in such active
37 service; provided, that any person receiving an actual service-incurred
38 injury or disability shall be classed as a veteran whether or not that
39 person has completed the 14 days' service as herein provided;

40 [(14)] (15) Grenada peacekeeping mission, on or after October 23,
41 1983, who has served in Grenada or on board any ship actively
42 engaged in patrolling the territorial waters of that nation for a period,
43 continuous or in the aggregate, of at least 14 days commencing on or
44 before November 21, 1983 or the date of termination of that mission,
45 as proclaimed by the President of the United States or Congress,
46 whichever date of termination is the latest, in such active service;

1 provided, that any person receiving an actual service-incurred injury
2 or disability shall be classed as a veteran whether or not that person
3 has completed the 14 days' service as herein provided;

4 ~~[(15)]~~ (16) Panama peacekeeping mission, on or after
5 December 20, 1989 or the date of inception of that mission, as
6 proclaimed by the President of the United States or Congress,
7 whichever date of inception is earliest, who has served in Panama or
8 on board any ship actively engaged in patrolling the territorial waters
9 of that nation for a period, continuous or in the aggregate, of at least
10 14 days commencing on or before January 31, 1990 or the date of
11 termination of that mission, as proclaimed by the President of the
12 United States or Congress, whichever date of termination is the latest,
13 in such active service; provided, that any person receiving an actual
14 service-incurred injury or disability shall be classed as a veteran
15 whether or not that person has completed the 14 days' service as
16 herein provided;

17 ~~[(16)]~~ (17) Operation "Desert Shield/Desert Storm" mission in
18 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
19 or the date of inception of that operation, as proclaimed by the
20 President of the United States or Congress, whichever date of
21 inception is earliest, who has served in the Arabian peninsula or on
22 board any ship actively engaged in patrolling the Persian Gulf for a
23 period, continuous or in the aggregate, of at least 14 days commencing
24 on or before the date of termination of that mission, as proclaimed by
25 the President of the United States, Congress or the Governor,
26 whichever date of termination is the latest, in such active service;
27 provided, that any person receiving an actual service-incurred injury
28 or disability shall be classed as a veteran whether or not that person
29 has completed the 14 days' service as herein provided.

30 "Veteran" also means any honorably discharged member of the
31 American Merchant Marine who served during World War II and is
32 declared by the United States Department of Defense to be eligible for
33 federal veterans' benefits.

34 s. "Child" means a deceased member's unmarried child either (a)
35 under the age of 18 or (b) of any age who, at the time of the member's
36 death, is disabled because of mental retardation or physical incapacity,
37 is unable to do any substantial, gainful work because of the impairment
38 and the impairment has lasted or can be expected to last for a
39 continuous period of not less than 12 months, as affirmed by the
40 medical board.

41 t. "Widower" means the man to whom a member was married at
42 least five years before the date of her death and to whom she
43 continued to be married until the date of her death and who was
44 receiving at least one-half of his support from the member in the
45 12-month period immediately preceding the member's death or the
46 accident which was the direct cause of the member's death. The

1 dependency of such a widower will be considered terminated by
2 marriage of the widower subsequent to the death of the member. In
3 the event of the payment of an accidental death benefit, the five-year
4 qualification shall be waived.

5 u. "Widow" means the woman to whom a member was married at
6 least five years before the date of his death and to whom he continued
7 to be married until the date of his death and who was receiving at least
8 one-half of her support from the member in the 12-month period
9 immediately preceding the member's death or the accident which was
10 the direct cause of the member's death. The dependency of such a
11 widow will be considered terminated by the marriage of the widow
12 subsequent to the member's death. In the event of the payment of an
13 accidental death benefit, the five-year qualification shall be waived.

14 v. "Parent" means the parent of a member who was receiving at
15 least one-half of the parent's support from the member in the 12-month
16 period immediately preceding the member's death or the accident
17 which was the direct cause of the member's death. The dependency of
18 such a parent will be considered terminated by marriage of the parent
19 subsequent to the death of the member.

20 w. "Medical board" means the board of physicians provided for in
21 N.J.S.18A:66-56.

22 (cf: P.L.1995, c.406, s.2)

23

24 3. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read as
25 follows:

26 6. As used in this act:

27 a. "Accumulated deductions" means the sum of all the amounts,
28 deducted from the compensation of a member or contributed by or on
29 behalf of the member, standing to the credit of the member's individual
30 account in the annuity savings fund.

31 b. "Annuity" means payments for life derived from the accumulated
32 deductions of a member as provided in this act.

33 c. "Annuity reserve" means the present value of all payments to be
34 made on account of any annuity or benefit in lieu of an annuity,
35 granted under the provisions of this act, computed on the basis of such
36 mortality tables recommended by the actuary as the board of trustees
37 adopts, with regular interest.

38 d. "Beneficiary" means any person receiving a retirement allowance
39 or other benefit as provided in this act.

40 e. "Child" means a deceased member's unmarried child either (1)
41 under the age of 18 or (2) of any age who, at the time of the member's
42 death, is disabled because of mental retardation or physical incapacity,
43 is unable to do any substantial, gainful work because of the impairment
44 and the impairment has lasted or can be expected to last for a
45 continuous period of not less than 12 months, as affirmed by the
46 medical board.

1 f. "Parent" shall mean the parent of a member who was receiving
2 at least 1/2 of the parent's support from the member in the 12-month
3 period immediately preceding the member's death or the accident
4 which was the direct cause of the member's death. The dependency of
5 such a parent will be considered terminated by marriage of the parent
6 subsequent to the death of the member.

7 g. "Widower" means the man to whom a member was married at
8 least five years before the date of her death and to whom she
9 continued to be married until the date of her death and who was
10 receiving at least 1/2 of his support from the member in the 12-month
11 period immediately preceding the member's death or the accident
12 which was the direct cause of the member's death. The dependency of
13 such a widower will be considered terminated by marriage of the
14 widower subsequent to the death of the member. In the event of the
15 payment of an accidental death benefit, the five-year qualification shall
16 be waived.

17 h. "Final compensation" means the average annual compensation
18 for which contributions are made for the three years of creditable
19 service in New Jersey immediately preceding the member's retirement
20 or death, or it shall mean the average annual compensation for New
21 Jersey service for which contributions are made during any three fiscal
22 years of his or her membership providing the largest possible benefit
23 to the member or the member's beneficiary.

24 i. "Fiscal year" means any year commencing with July 1 and ending
25 with June 30 next following.

26 j. "Medical board" shall mean the board of physicians provided for
27 in section 17 (C.43:15A-17).

28 k. "Pension" means payments for life derived from appropriations
29 made by the employer as provided in this act.

30 l. "Pension reserve" means the present value of all payments to be
31 made on account of any pension or benefit in lieu of a pension granted
32 under the provisions of this act, computed on the basis of such
33 mortality tables recommended by the actuary as the board of trustees
34 adopts, with regular interest.

35 m. "Public Employees' Retirement System of New Jersey,"
36 hereinafter referred to as the "retirement system" or "system," is the
37 corporate name of the arrangement for the payment of retirement
38 allowances and other benefits under the provisions of this act including
39 the several funds placed under said system. By that name all of its
40 business shall be transacted, its funds invested, warrants for money
41 drawn, and payments made and all of its cash and securities and other
42 property held.

43 n. "Regular interest" shall mean interest as determined by the State
44 Treasurer, after consultation with the Directors of the Divisions of
45 Investment and Pensions, the board of trustees and the actuary. It
46 shall bear a reasonable relationship to the percentage rate of earnings

1 on investments based on the market value of the assets but shall not
2 exceed the assumed percentage rate of increase applied to salaries plus
3 3%, provided however that the board of trustees shall not set the
4 average percentage rate of increase applied to salaries below 6%.

5 o. "Retirement allowance" means the pension plus the annuity.
6 p. "Veteran" means any honorably discharged officer, soldier,
7 sailor, airman, marine or nurse who served in any Army, Air Force or
8 Navy of the Allies of the United States in World War I, between
9 July 14, 1914, and November 11, 1918, or who served in any Army,
10 Air Force or Navy of the Allies of the United States in World War II,
11 between September 1, 1939, and September 2, 1945, and who was
12 inducted into such service through voluntary enlistment, and was a
13 citizen of the United States at the time of such enlistment, and who did
14 not, during or by reason of such service, renounce or lose United
15 States citizenship, and any officer, soldier, sailor, marine, airman,
16 nurse or army field clerk, who has served in the active military or naval
17 service of the United States and has or shall be discharged or released
18 therefrom under conditions other than dishonorable, in any of the
19 following wars, uprisings, insurrections, expeditions, or emergencies,
20 and who has presented to the retirement system evidence of such
21 record of service in form and content satisfactory to said retirement
22 system:

23 (1) The Indian wars and uprisings during any of the periods
24 recognized by the War Department of the United States as periods of
25 active hostility;

26 (2) The Spanish-American War between April 20, 1898, and
27 April 11, 1899;

28 (3) The Philippine insurrections and expeditions during the periods
29 recognized by the War Department of the United States as of active
30 hostility from February 4, 1899, to the end of 1913;

31 (4) The Peking relief expedition between June 20, 1900,
32 and May 27, 1902;

33 (5) The army of Cuban occupation between July 18, 1898, and
34 May 20, 1902;

35 (6) The army of Cuban pacification between October 6, 1906, and
36 April 1, 1909;

37 (7) The Mexican punitive expedition between March 14, 1916, and
38 February 7, 1917;

39 (8) The Mexican border patrol, having actually participated in
40 engagements against Mexicans between April 12, 1911, and June 16,
41 1919;

42 (9) World War I, between April 6, 1917, and November 11, 1918;

43 (10) World War II, between September 16, 1940, and
44 December 31, 1946, who shall have served at least 90 days in such
45 active service, exclusive of any period of assignment (1) for a course
46 of education or training under the Army Specialized Training Program

1 or the Navy College Training Program which course was a
2 continuation of a civilian course and was pursued to completion, or (2)
3 as a cadet or midshipman at one of the service academies any part of
4 which 90 days was served between said dates; provided, that any
5 person receiving an actual service-incurred injury or disability shall be
6 classed as a veteran whether or not that person has completed the
7 90-day service as herein provided;

8 (11) Korean conflict on or after June 23, 1950, and on or prior to
9 January 31, 1955, who shall have served at least 90 days in such active
10 service, exclusive of any period of assignment (1) for a course of
11 education or training under the Army Specialized Training Program or
12 the Navy College Training Program which course was a continuation
13 of a civilian course and was pursued to completion, or (2) as a cadet
14 or midshipman at one of the service academies, any part of which
15 90 days was served between said dates; provided, that any person
16 receiving an actual service-incurred injury or disability shall be classed
17 as a veteran whether or not that person has completed the 90-day
18 service as herein provided; and provided further, that any member
19 classed as a veteran pursuant to this paragraph prior to August 1,
20 1966, shall continue to be classed as a veteran whether or not that
21 person completed the 90-day service between said dates as herein
22 provided;

23 (12) Lebanon crisis, on or after July 1, 1958, who has served in
24 Lebanon or on board any ship actively engaged in patrolling the
25 territorial waters of that nation for a period, continuous or in the
26 aggregate, of at least 14 days commencing on or before November 1,
27 1958 or the date of termination of that conflict, as proclaimed by the
28 President of the United States or Congress, whichever date of
29 termination is the latest, in such active service; provided, that any
30 person receiving an actual service-incurred injury or disability shall be
31 classed as a veteran whether or not that person has completed the
32 14 days' service as herein provided;

33 (13) Vietnam conflict on or after December 31, 1960, and on or
34 prior to May 7, 1975, who shall have served at least 90 days in such
35 active service, exclusive of any period of assignment (1) for a course
36 of education or training under the Army Specialized Training Program
37 or the Navy College Training Program which course was a
38 continuation of a civilian course and was pursued to completion, or (2)
39 as a cadet or midshipman at one of the service academies, any part of
40 which 90 days was served between said dates; and exclusive of any
41 service performed pursuant to the provisions of section 511(d) of Title
42 10, United States Code, pursuant to an enlistment in the Army
43 National Guard or as a reserve for service in the Army Reserve, Naval
44 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
45 Reserve; provided, that any person receiving an actual service-incurred
46 injury or disability shall be classed as a veteran whether or not that

1 person has completed the 90 days' service as herein provided;

2 ~~[(13)]~~ (14) Lebanon peacekeeping mission, on or after
3 September 26, 1982, who has served in Lebanon or on board any ship
4 actively engaged in patrolling the territorial waters of that nation for
5 a period, continuous or in the aggregate, of at least 14 days
6 commencing on or before December 1, 1987 or the date of termination
7 of that mission, as proclaimed by the President of the United States or
8 Congress, whichever date of termination is the latest, in such active
9 service; provided, that any person receiving an actual service-incurred
10 injury or disability shall be classed as a veteran whether or not that
11 person has completed the 14 days' service as herein provided;

12 ~~[(14)]~~ (15) Grenada peacekeeping mission, on or after
13 October 23, 1983, who has served in Grenada or on board any ship
14 actively engaged in patrolling the territorial waters of that nation for
15 a period, continuous or in the aggregate, of at least 14 days
16 commencing on or before November 21, 1983 or the date of
17 termination of that mission, as proclaimed by the President of the
18 United States or Congress, whichever date of termination is the latest,
19 in such active service; provided, that any person receiving an actual
20 service-incurred injury or disability shall be classed as a veteran
21 whether or not that person has completed the 14 days' service as
22 herein provided;

23 ~~[(15)]~~ (16) Panama peacekeeping mission, on or after
24 December 20, 1989 or the date of inception of that mission, as
25 proclaimed by the President of the United States or Congress,
26 whichever date of inception is earliest, who has served in Panama or
27 on board any ship actively engaged in patrolling the territorial waters
28 of that nation for a period, continuous or in the aggregate, of at least
29 14 days commencing on or before January 31, 1990 or the date of
30 termination of that mission, as proclaimed by the President of the
31 United States or Congress, whichever date of termination is the latest,
32 in such active service; provided, that any person receiving an actual
33 service-incurred injury or disability shall be classed as a veteran
34 whether or not that person has completed the 14 days' service as
35 herein provided;

36 ~~[(16)]~~ (17) Operation "Desert Shield/Desert Storm" mission in
37 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
38 or the date of inception of that operation, as proclaimed by the
39 President of the United States, Congress or the Governor, whichever
40 date of inception is earliest, who has served in the Arabian peninsula
41 or on board any ship actively engaged in patrolling the Persian Gulf for
42 a period, continuous or in the aggregate, of at least 14 days
43 commencing on or before the date of termination of that mission, as
44 proclaimed by the President of the United States, Congress or the
45 Governor, whichever date of termination is the latest, in such active
46 service; provided, that any person receiving an actual service-incurred

1 injury or disability shall be classed as a veteran whether or not that
2 person has completed the 14 days' service as herein provided.

3 "Veteran" also means any honorably discharged member of the
4 American Merchant Marine who served during World War II and is
5 declared by the United States Department of Defense to be eligible for
6 federal veterans' benefits.

7 q. "Widow" means the woman to whom a member was married at
8 least five years before the date of his death and to whom he continued
9 to be married until the date of his death and who was receiving at least
10 1/2 of her support from the member in the 12-month period
11 immediately preceding the member's death or the accident which was
12 the direct cause of the member's death. The dependency of such a
13 widow will be considered terminated by the marriage of the widow
14 subsequent to the member's death. In the event of the payment of an
15 accidental death benefit, the five-year qualification shall be waived.

16 r. "Compensation" means the base or contractual salary, for
17 services as an employee, which is in accordance with established salary
18 policies of the member's employer for all employees in the same
19 position but shall not include individual salary adjustments which are
20 granted primarily in anticipation of the member's retirement or
21 additional remuneration for performing temporary or extracurricular
22 duties beyond the regular workday or the regular work year. In cases
23 where salary includes maintenance, the retirement system shall fix the
24 value of that part of the salary not paid in money which shall be
25 considered under this act.

26 (cf: P.L.1995, c.406, s.3)

27

28 ¹4. (New section) The State shall be liable for any increased cost
29 to local government employers participating in the Public Employees'
30 Retirement System, established pursuant to P.L.1954, c.84 (C.43:15A-
31 1 et seq.), as a result of the provisions of this act, P.L. , c. (now
32 pending before the Legislature as this bill).¹

33

34 ¹[4.] 5.¹ Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is
35 amended to read as follows:

36 1. For purposes of this act "veteran" means any honorably
37 discharged officer, soldier, sailor, airman, marine or nurse who served
38 in any Army, Air Force or Navy of the Allies of the United States in
39 World War I, between July 14, 1914, and November 11, 1918, or who
40 served in any Army, Air Force or Navy of the Allies of the United
41 States in World War II, between September 1, 1939, and
42 September 2, 1945, and who was inducted into such service through
43 voluntary enlistment, and was a citizen of the United States at the time
44 of such enlistment, and who did not, during or by reason of such
45 service, renounce or lose United States citizenship, and any officer,
46 soldier, sailor, marine, airman, nurse or army field clerk, who has

1 served in the active military or naval service of the United States and
2 has or shall be discharged or released therefrom under conditions other
3 than dishonorable, in any of the following wars, uprisings,
4 insurrections, expeditions, or emergencies, and who has presented to
5 the retirement system evidence of such record of service in form and
6 content satisfactory to said retirement system:

7 (1) The Indian wars and uprisings during any of the periods
8 recognized by the War Department of the United States as periods of
9 active hostility;

10 (2) The Spanish-American War between April 20, 1898, and
11 April 11, 1899;

12 (3) The Philippine insurrections and expeditions during the periods
13 recognized by the War Department of the United States as of active
14 hostility from February 4, 1899, to the end of 1913;

15 (4) The Peking relief expedition between June 20, 1900, and
16 May 27, 1902;

17 (5) The army of Cuban occupation between July 18, 1898, and
18 May 20, 1902;

19 (6) The army of Cuban pacification between October 6, 1906, and
20 April 1, 1909;

21 (7) The Mexican punitive expedition between March 14, 1916, and
22 February 7, 1917;

23 (8) The Mexican border patrol, having actually participated in
24 engagements against Mexicans between April 12, 1911, and June 16,
25 1919;

26 (9) World War I between April 6, 1917, and November 11, 1918;

27 (10) World War II, between September 16, 1940, and
28 December 31, 1946, who shall have served at least 90 days in such
29 active service, exclusive of any period of assignment (1) for a course
30 of education or training under the Army Specialized Training Program
31 or the Navy College Training program which course was a
32 continuation of a civilian course and was pursued to completion, or (2)
33 as a cadet or midshipman at one of the service academies any part of
34 which 90 days was served between said dates; provided, that any
35 person receiving an actual service-incurred injury or disability shall be
36 classed as a veteran whether or not that person has completed the
37 90-day service as herein provided;

38 (11) Korean conflict on or after June 23, 1950, and on or prior to
39 January 31, 1955, who shall have served at least 90 days in such active
40 service, exclusive of any period of assignment (1) for a course of
41 education or training under the Army Specialized Training Program or
42 the Navy College Training Program which course was a continuation
43 of a civilian course and was pursued to completion, or (2) as a cadet
44 or midshipman at one of the service academies, any part of which 90
45 days was served between said dates; provided, that any person
46 receiving an actual service-incurred injury or disability shall be classed

1 as a veteran whether or not that person has completed the 90-day
2 service as herein provided; and provided further, that any member
3 classed as a veteran pursuant to this subparagraph prior to August 1,
4 1966, shall continue to be classed as a veteran whether or not the
5 member completed the 90-day service between said dates as herein
6 provided;

7 (12) Lebanon crisis, on or after July 1, 1958, who has served in
8 Lebanon or on board any ship actively engaged in patrolling the
9 territorial waters of that nation for a period, continuous or in the
10 aggregate, of at least 14 days commencing on or before November 1,
11 1958 or the date of termination of that conflict, as proclaimed by the
12 President of the United States or Congress, whichever date of
13 termination is the latest, in such active service; provided, that any
14 person receiving an actual service-incurred injury or disability shall be
15 classed as a veteran whether or not that person has completed the 14
16 days' service as herein provided;

17 (13) Vietnam conflict on or after December 31, 1960, and on or
18 prior to May 7, 1975, who shall have served at least 90 days in such
19 active service, exclusive of any period of assignment (1) for a course
20 of education or training under the Army Specialized Training Program
21 or the Navy College Training Program which course was a
22 continuation of a civilian course and was pursued to completion, or (2)
23 as a cadet or midshipman at one of the service academies, any part of
24 which 90 days was served between said dates; and exclusive of any
25 service performed pursuant to the provisions of section 511 (d) of
26 Title 10, United States Code, pursuant to an enlistment in the Army
27 National Guard or as a reserve for service in the Army Reserve, Naval
28 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
29 Reserve; provided, that any person receiving an actual service-incurred
30 injury or disability shall be classed as a veteran whether or not that
31 person has completed the 90 days' service as herein provided;

32 [(13)] (14) Lebanon peacekeeping mission, on or after
33 September 26, 1982, who has served in Lebanon or on board any ship
34 actively engaged in patrolling the territorial waters of that nation for
35 a period, continuous or in the aggregate, of at least 14 days
36 commencing on or before December 1, 1987 or the date of termination
37 of that mission, as proclaimed by the President of the United States or
38 Congress, whichever date of termination is the latest, in such active
39 service; provided, that any person receiving an actual service-incurred
40 injury or disability shall be classed as a veteran whether or not that
41 person has completed the 14 days' service as herein provided;

42 [(14)] (15) Grenada peacekeeping mission, on or after
43 October 23, 1983, who has served in Grenada or on board any ship
44 actively engaged in patrolling the territorial waters of that nation for
45 a period, continuous or in the aggregate, of at least 14 days
46 commencing on or before November 21, 1983 or the date of

1 termination of that mission, as proclaimed by the President of the
2 United States or Congress, whichever date of termination is the latest,
3 in such active service; provided, that any person receiving an actual
4 service-incurred injury or disability shall be classed as a veteran
5 whether or not that person has completed the 14 days' service as
6 herein provided;

7 [(15)] (16) Panama peacekeeping mission, on or after
8 December 20, 1989 or the date of inception of that mission, as
9 proclaimed by the President of the United States or Congress,
10 whichever date of inception is earliest, who has served in Panama or
11 on board any ship actively engaged in patrolling the territorial waters
12 of that nation for a period, continuous or in the aggregate, of at least
13 14 days commencing on or before January 31, 1990 or the date of
14 termination of that mission, as proclaimed by the President of the
15 United States or Congress, whichever date of termination is the latest,
16 in such active service; provided, that any person receiving an actual
17 service-incurred injury or disability shall be classed as a veteran
18 whether or not that person has completed the 14 days' service as
19 herein provided;

20 [(16)] (17) Operation "Desert Shield/Desert Storm" mission in
21 the Arabian peninsula and the Persian Gulf, on or after August 2, 1990
22 or the date of inception of that operation, as proclaimed by the
23 President of the United States or Congress, whichever date of
24 inception is earliest, who has served in the Arabian peninsula or on
25 board any ship actively engaged in patrolling the Persian Gulf for a
26 period, continuous or in the aggregate, of at least 14 days commencing
27 on or before the date of termination of that mission, as proclaimed by
28 the President of the United States, Congress or the Governor,
29 whichever date of termination is the latest, in such active service;
30 provided, that any person receiving an actual service-incurred injury
31 or disability shall be classed as a veteran whether or not that person
32 has completed the 14 days' service as herein provided.

33 "Veteran" also means any honorably discharged member of the
34 American Merchant Marine who served during World War II and is
35 declared by the United States Department of Defense to be eligible for
36 federal veterans' benefits.

37 (cf: P.L.1995, c.406, s.4)

38

39 ¹[5.] 6.¹ Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended
40 to read as follows:

41 1. (a) "Active service in time of war" means active service at some
42 time during one of the following periods:

43 Operation "Restore Hope" in Somalia, commencing on or after
44 December 5, 1992, or the date of inception of that operation as
45 proclaimed by the President of the United States or the Congress,
46 whichever date is earliest, and terminating on March 31, 1994, or the
47 date of termination as proclaimed by the President of the United States

1 or the Congress, whichever date is latest, who served for at least 14
2 days, continuously or in the aggregate, in Somalia or on board any
3 ship actively engaged in patrolling the territorial waters of that nation
4 during the specified period; provided that any person receiving an
5 actual service-incurred injury or disability shall be classed as a veteran
6 whether or not that person has completed the 14-day service as herein
7 provided;

8 Operations "Joint Endeavor" and "Joint Guard" in the Republic of
9 Bosnia and Herzegovina, commencing on or after November 20, 1995
10 or December 20, 1996, as the case may be, and terminating on
11 December 20, 1996 or on such date as the United States Secretary of
12 Defense may designate, as the case may be, who served in direct
13 support of one or both of the operations for at least 14 days,
14 continuously or in the aggregate, and (1) was deployed in that nation
15 or in another area in the region, or (2) was on board a United States
16 naval vessel operating in the Adriatic Sea, or (3) operated in airspace
17 above the Republic of Bosnia and Herzegovina; provided that any
18 person receiving an actual service-incurred injury or disability shall be
19 classed as a veteran whether or not that person completed the 14-day
20 service requirement;

21 Operation "Desert Shield/Desert Storm" mission in the Arabian
22 peninsula and the Persian Gulf, on or after August 2, 1990 or the date
23 of inception of that operation, as proclaimed by the President of the
24 United States or Congress, whichever date of inception is earliest, who
25 has served in the Arabian peninsula or on board any ship actively
26 engaged in patrolling the Persian Gulf for a period, continuous or in
27 the aggregate, of at least 14 days commencing on or before the date
28 of termination of that mission, as proclaimed by the President of the
29 United States or Congress, whichever date of termination is the latest,
30 in such active service; provided, that any person receiving an actual
31 service-incurred injury or disability shall be classed as a veteran
32 whether or not that person has completed the 14 days' service as
33 herein provided;

34 The Panama peacekeeping mission, on or after December 20, 1989
35 or the date of inception of that mission, as proclaimed by the President
36 of the United States or Congress, whichever date of inception is
37 earliest, who has served in Panama or on board any ship actively
38 engaged in patrolling the territorial waters of that nation for a period,
39 continuous or in the aggregate, of at least 14 days commencing on or
40 before January 31, 1990 or the date of termination of that mission, as
41 proclaimed by the President of the United States or Congress,
42 whichever date of termination is the latest, in such active service;
43 provided, that any person receiving an actual service-incurred injury
44 or disability shall be classed as a veteran whether or not that person
45 has completed the 14 days' service as herein provided;

46 The Grenada peacekeeping mission, on or after October 23, 1983,

1 who has served in Grenada or on board any ship actively engaged in
2 patrolling the territorial waters of that nation for a period, continuous
3 or in the aggregate, of at least 14 days commencing on or before
4 November 21, 1983 or the date of termination of that mission as
5 proclaimed by the President of the United States or Congress,
6 whichever date of termination is the latest, in such active service;
7 provided, that any person receiving an actual service-incurred injury
8 or disability shall be classed as a veteran whether or not that person
9 has completed the 14 days' service as herein provided;

10 The Lebanon peacekeeping mission, on or after September 26, 1982,
11 who has served in Lebanon or on board any ship actively engaged in
12 patrolling the territorial waters of that nation for a period, continuous
13 or in the aggregate, of at least 14 days commencing on or before
14 December 1, 1987 or the date of termination of that mission, as
15 proclaimed by the President of the United States or Congress,
16 whichever date of termination is the latest, in such active service;
17 provided, that any person receiving an actual service-incurred injury
18 or disability shall be classed as a veteran whether or not that person
19 has completed the 14 days' service as herein provided;

20 The Vietnam conflict, December 31, 1960, to May 7, 1975;

21 The Lebanon crisis, on or after July 1, 1958, who has served in
22 Lebanon or on board any ship actively engaged in patrolling the
23 territorial waters of that nation for a period, continuous or in the
24 aggregate, of at least 14 days commencing on or before November 1,
25 1958 or the date of termination of that conflict, as proclaimed by the
26 President of the United States or Congress, whichever date of
27 termination is the latest, in such active service; provided, that any
28 person receiving an actual service-incurred injury or disability shall be
29 classed as a veteran whether or not that person has completed the 14
30 days' service as herein provided:

31 The Korean conflict, June 23, 1950 to January 31, 1955;

32 World War II, September 16, 1940 to December 31, 1946;

33 World War I, April 6, 1917 to November 11, 1918, and in the case
34 of service with the United States military forces in Russia, April 6,
35 1917 to April 1, 1920;

36 Spanish-American War, April 21, 1898 to August 13, 1898;

37 Civil War, April 15, 1861 to May 26, 1865; or, as to any
38 subsequent war, during the period from the date of declaration of war
39 to the date on which actual hostilities shall cease.

40 (b) "Assessor" means the assessor, board of assessors or any other
41 official or body of a taxing district charged with the duty of assessing
42 real and personal property for the purpose of general taxation.

43 (c) "Collector" means the collector or receiver of taxes of a taxing
44 district.

45 (d) "Honorably discharged or released under honorable
46 circumstances from active service in time of war," means and includes

1 every form of separation from active, full-time duty with military or
2 naval pay and allowances in some branch of the Armed Forces of the
3 United States in time of war, other than those marked "dishonorable,"
4 "undesirable," "bad conduct," "by sentence of general court martial,"
5 "by sentence of summary court martial" or similar expression
6 indicating that the discharge or release was not under honorable
7 circumstances. A disenrollment certificate or other form of release
8 terminating temporary service in a military or naval branch of the
9 armed forces rendered on a voluntary and part-time basis without pay,
10 or a release from or deferment of induction into the active military or
11 naval service shall not be deemed to be included in the aforementioned
12 phrase.

13 (e) "Pre-tax year" means the particular calendar year immediately
14 preceding the "tax year."

15 (f) "Resident" means one legally domiciled within the State of New
16 Jersey. Mere seasonal or temporary residence within the State, of
17 whatever duration, shall not constitute domicile within the State for
18 the purposes of this act. Absence from this State for a period of
19 12 months shall be prima facie evidence of abandonment of domicile
20 in this State. The burden of establishing legal domicile within the State
21 shall be upon the claimant.

22 (g) "Tax year" means the particular calendar year in which the
23 general property tax is due and payable.

24 (h) "Veteran" means any citizen and resident of this State
25 honorably discharged or released under honorable circumstances from
26 active service in time of war in any branch of the Armed Forces of the
27 United States.

28 (i) "Veteran's deduction" means the deduction against the taxes
29 payable by any person, allowable pursuant to this act.

30 (j) "Surviving spouse" means the surviving wife or husband of any
31 of the following, while he or she is a resident of this State, during
32 widowhood or widowerhood:

33 1. A citizen and resident of this State who has died or shall die
34 while on active duty in time of war in any branch of the Armed Forces
35 of the United States; or

36 2. A citizen and resident of this State who has had or shall
37 hereafter have active service in time of war in any branch of the Armed
38 Forces of the United States and who died or shall die while on active
39 duty in a branch of the Armed Forces of the United States; or

40 3. A citizen and resident of this State who has been or may
41 hereafter be honorably discharged or released under honorable
42 circumstances from active service in time of war in any branch of the
43 Armed Forces of the United States.

44 (k) "Cooperative" means a housing corporation or association
45 incorporated or organized under the laws of New Jersey which entitles
46 a shareholder thereof to possess and occupy for dwelling purposes a

1 house, apartment or other structure owned or leased by the
2 corporation or association.

3 (l) "Mutual housing corporation" means a corporation not-for-profit
4 incorporated under the laws of New Jersey on a mutual or cooperative
5 basis within the scope of section 607 of the "National Defense
6 Housing Act," Pub.L.76-849 (42 U.S.C.s.1521 et seq.), which
7 acquired a National Defense Housing Project pursuant to that act.
8 (cf: P.L.1998, c.49, s.2)

9

10 ¹[6.] 7.¹ This act shall take effect immediately.

11

12

13

14

15 Expands certain veterans' benefits to certain participants in the
16 Lebanon Crisis of 1958.

CHAPTER 127

AN ACT concerning the qualification of certain persons as veterans for certain purposes, amending various parts of the statutory law and supplementing P.L.1954, c.84 (C.43:15A-1 et seq.).

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. N.J.S.11A:5-1 is amended to read as follows:

Definitions.

11A:5-1. Definitions. As used in this chapter:

a. "Disabled veteran" means any veteran who is eligible to be compensated for a service-connected disability from war service by the United States Veterans Administration or who receives or is entitled to receive equivalent compensation for a service-connected disability which arises out of military or naval service as set forth in this chapter and who has submitted sufficient evidence of the record of disability incurred in the line of duty to the Adjutant General of the Department of Military and Veterans' Affairs on or before the closing date for filing an application for an examination;

b. "Veteran" means any honorably discharged soldier, sailor, marine or nurse who served in any army or navy of the allies of the United States in World War I, between July 14, 1914 and November 11, 1918, or who served in any army or navy of the allies of the United States in World War II, between September 1, 1939 and September 2, 1945 and who was inducted into that service through voluntary enlistment, and was a citizen of the United States at the time of the enlistment, and who did not renounce or lose his or her United States citizenship; or any soldier, sailor, marine, airman, nurse or army field clerk, who has served in the active military or naval service of the United States and has been discharged or released under other than dishonorable conditions from that service in any of the following wars or conflicts and who has presented to the Adjutant General of the Department of Military and Veterans' Affairs sufficient evidence of the record of service on or before the closing date for filing an application for an examination:

(1) World War I, between April 6, 1917 and November 11, 1918;

(2) World War II, on or after September 16, 1940, who shall have served at least 90 days beginning on or before December 31, 1946 in such active service, exclusive of any period of assignment for a course of education or training under the Army Specialized Training Program or the Navy College Training Program, which course was a continuation of a civilian course and was pursued to completion, or as a cadet or midshipman at one of the service academies; except that any person receiving an actual service-incurred injury or disability shall be classed a veteran whether or not that person has completed the 90-day service;

(3) Korean conflict, on or after June 23, 1950, who shall have served at least 90 days beginning on or before January 31, 1955, in active service, exclusive of any period of assignment for a course of education or training under the Army Specialized Training Program or the Navy College Training Program, which course was a continuation of a civilian course and was pursued to completion, or as a cadet or midshipman at one of the service academies; except that any person receiving an actual service-incurred injury or disability shall be classed as a veteran, whether or not that person has completed the 90-day service;

(4) Lebanon crisis, on or after July 1, 1958, who has served in Lebanon or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 1, 1958 or the date of termination of that conflict, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(5) Vietnam conflict, on or after December 31, 1960, who shall have served at least 90 days beginning on or before May 7, 1975, in active service, exclusive of any period of assignment for a course of education or training under the Army Specialized Training Program or the Navy College Training Program, which course was a continuation of a civilian course and was pursued to completion, or as a cadet or midshipman at one of the service academies, and exclusive of any service performed pursuant to the provisions of section 511(d) of Title 10, United States Code,

or exclusive of any service performed pursuant to enlistment in the National Guard or the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve; except that any person receiving an actual service-incurred injury or disability shall be classed as a veteran, whether or not that person has completed the 90-day service as provided;

(6) Lebanon peacekeeping mission, on or after September 26, 1982, who has served in Lebanon or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before December 1, 1987 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(7) Grenada peacekeeping mission, on or after October 23, 1983, who has served in Grenada or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 21, 1983 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(8) Panama peacekeeping mission, on or after December 20, 1989 or the date of inception of that mission, as proclaimed by the President of the United States or Congress, whichever date of inception is earliest, who has served in Panama or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before January 31, 1990 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(9) Operation "Desert Shield/Desert Storm" mission in the Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or the date of inception of that operation, as proclaimed by the President of the United States or Congress, whichever date of inception is earliest, who has served in the Arabian peninsula or on board any ship actively engaged in patrolling the Persian Gulf for a period, continuous or in the aggregate, of at least 14 days commencing on or before the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(10) Operation "Restore Hope" in Somalia, commencing on or after December 5, 1992, or the date of inception of that operation as proclaimed by the President of the United States or the Congress, whichever date is earliest, and terminating on March 31, 1994, or the date of termination as proclaimed by the President of the United States or the Congress, whichever date is latest, who served for at least 14 days, continuously or in the aggregate, in Somalia or on board any ship actively engaged in patrolling the territorial waters of that nation during the specified period; provided that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14-day service as herein provided;

(11) Operations "Joint Endeavor" and "Joint Guard" in the Republic of Bosnia and Herzegovina, commencing on or after November 20, 1995 or December 20, 1996, as the case may be, and terminating on December 20, 1996 or on such date as the United States Secretary of Defense may designate, as the case may be, who served in direct support of one or both of the operations for at least 14 days, continuously or in the aggregate, and (1) was deployed in that nation or in another area in the region, or (2) was on board a United States naval vessel operating in the Adriatic Sea, or (3) operated in airspace above the Republic of Bosnia and Herzegovina; provided that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person completed the 14-day service requirement; and

(12) Operation "Uphold Democracy" in Haiti, commencing on or after September 19, 1994 and terminating on or before March 31, 1995 who served in Haiti or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuously or in the aggregate, of at least 14 days in such active service and who received an Armed Forces Expeditionary Medal for such service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided or received an Armed Forces Expeditionary Medal.

c. "War service" means service by a veteran in any war or conflict described in this chapter during the periods specified.

2. N.J.S.18A:66-2 is amended to read as follows:

Definitions.

18A:66-2. As used in this article:

a. "Accumulated deductions" means the sum of all the amounts, deducted from the compensation of a member or contributed by or in behalf of the member, including interest credited to January 1, 1956, standing to the credit of the member's individual account in the annuity savings fund.

b. "Annuity" means payments for life derived from the accumulated deductions of a member as provided in this article.

c. "Beneficiary" means any person receiving a retirement allowance or other benefit as provided in this article.

d. "Compensation" means the contractual salary, for services as a teacher as defined in this article, which is in accordance with established salary policies of the member's employer for all employees in the same position but shall not include individual salary adjustments which are granted primarily in anticipation of the member's retirement or additional remuneration for performing temporary or extracurricular duties beyond the regular school day or the regular school year.

e. "Employer" means the State, the board of education or any educational institution or agency of or within the State by which a teacher is paid.

f. "Final compensation" means the average annual compensation for which contributions are made for the three years of creditable service in New Jersey immediately preceding the member's retirement or death, or it shall mean the average annual compensation for New Jersey service for which contributions are made during any three fiscal years of his or her membership providing the largest possible benefit to the member or the member's beneficiary.

g. "Fiscal year" means any year commencing with July 1, and ending with June 30, next following.

h. "Pension" means payments for life derived from appropriations made by the State or employers to the Teachers' Pension and Annuity Fund.

i. "Annuity reserve" means the present value of all payments to be made on account of any annuity or benefit in lieu of an annuity, granted under the provisions of this article, computed on the basis of such mortality tables recommended by the actuary as the board of trustees adopts, with regular interest.

j. "Pension reserve" means the present value of all payments to be made on account of any pension or benefit in lieu of a pension granted to a member from the Teachers' Pension and Annuity Fund, computed on the basis of such mortality tables recommended by the actuary as the board of trustees adopts, with regular interest.

k. "Present-entrant" means any member of the Teachers' Pension and Annuity Fund who had established status as a "present-entrant member" of said fund prior to January 1, 1956.

l. "Rate of contribution initially certified" means the rate of contribution certified by the retirement system in accordance with N.J.S.18A:66-29.

m. "Regular interest" shall mean interest as determined by the State Treasurer, after consultation with the Directors of the Divisions of Investment and Pensions, the board of trustees and the actuary. It shall bear a reasonable relationship to the percentage rate of earnings

on investments based on the market value of assets but shall not exceed the assumed percentage rate of increase applied to salaries plus 3%, provided however that the board of trustees shall not set the average percentage rate of increase applied to salaries below 6%.

n. "Retirement allowance" means the pension plus the annuity.

o. "School service" means any service as a "teacher" as defined in this section.

p. "Teacher" means any regular teacher, special teacher, helping teacher, teacher clerk, principal, vice-principal, supervisor, supervising principal, director, superintendent, city superintendent, assistant city superintendent, county superintendent, State Commissioner or Assistant Commissioner of Education, members of the State Department of Education who are certificated, unclassified professional staff and other members of the teaching or professional staff of any class, public school, high school, normal school, model school, training school, vocational school, truant reformatory school, or parental school, and of any and all classes or schools within the State conducted under the order and superintendence, and wholly or partly at the expense of the State Board of Education, of a duly elected or appointed board of education, board of school directors, or board of trustees of the State or of any school district or normal school district thereof, and any persons under contract or engagement to perform one or more of these functions. It shall also mean any person who serves, while on an approved leave of absence from regular duties as a teacher, as an officer of a local, county or State labor organization which represents, or is affiliated with an organization which represents, teachers as defined in this subsection. No person shall be deemed a teacher within the meaning of this article who is a substitute teacher. In all cases of doubt the board of trustees shall determine whether any person is a teacher as defined in this article.

q. "Teachers' Pension and Annuity Fund," hereinafter referred to as the "retirement system" or "system," is the corporate name of the arrangement for the payment of retirement allowances and other benefits under the provisions of this article, including the several funds placed under said system. By that name all its business shall be transacted, its funds invested, warrants for money drawn, and payments made and all of its cash and securities and other property held.

r. "Veteran" means any honorably discharged officer, soldier, sailor, airman, marine or nurse who served in any Army, Air Force or Navy of the Allies of the United States in World War I between July 14, 1914, and November 11, 1918, or who served in any Army, Air Force or Navy of the Allies of the United States in World War II, between September 1, 1939, and September 2, 1945, and who was inducted into such service through voluntary enlistment, and was a citizen of the United States at the time of such enlistment, and who did not, during or by reason of such service, renounce or lose United States citizenship, and any officer, soldier, sailor, marine, airman, nurse or army field clerk who has served in the active military or naval service of the United States and has or shall be discharged or released therefrom under conditions other than dishonorable, in any of the following wars, uprisings, insurrections, expeditions or emergencies, and who has presented to the retirement system evidence of such record of service in form and content satisfactory to said retirement system:

(1) The Indian wars and uprisings during any of the periods recognized by the War Department of the United States as periods of active hostility;

(2) The Spanish-American War between April 20, 1898, and April 11, 1899;

(3) The Philippine insurrections and expeditions during the periods recognized by the War Department of the United States as of active hostility from February 4, 1899, to the end of 1913;

(4) The Peking relief expedition between June 20, 1900, and May 27, 1902;

(5) The army of Cuban occupation between July 18, 1898, and May 20, 1902;

(6) The army of Cuban pacification between October 6, 1906, and April 1, 1909;

(7) The Mexican punitive expedition between March 14, 1916, and February 7, 1917;

(8) The Mexican border patrol, having actually participated in engagements against Mexicans between April 12, 1911, and June 16, 1919;

(9) World War I, between April 6, 1917, and November 11, 1918;

(10) World War II, between September 16, 1940, and December 31, 1946, who shall have served at least 90 days in such active service, exclusive of any period of assignment (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program, which course was a continuation of a civilian course and was pursued

to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which 90 days was served between said dates; provided that any person receiving an actual service-incurred injury or disability shall be classed as a veteran, whether or not that person has completed the 90-day service as herein provided;

(11) Korean conflict on or after June 23, 1950, and on or prior to January 31, 1955, who shall have served at least 90 days in such active service, exclusive of any period of assignment (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program, which course was a continuation of a civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which 90 days was served between said dates; provided that any person receiving an actual service-incurred injury or disability shall be classed as a veteran, whether or not that person has completed the 90-day service as herein provided; and provided further that any member classed as a veteran pursuant to this subsection prior to August 1, 1966, shall continue to be classed as a veteran, whether or not that person completed the 90-day service between said dates as herein provided;

(12) Lebanon crisis, on or after July 1, 1958, who has served in Lebanon or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 1, 1958 or the date of termination of that conflict, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(13) Vietnam conflict, on or after December 31, 1960, and on or prior to May 7, 1975, who shall have served at least 90 days in such active service, exclusive of any period of assignment (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program, which course was a continuation of a civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which 90 days was served between said dates; and exclusive of any service performed pursuant to the provisions of section 511(d) of Title 10, United States Code, pursuant to an enlistment in the Army National Guard or as a reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided that any person receiving an actual service-incurred injury or disability shall be classed as a veteran, whether or not that person has completed the 90-day service as herein provided;

(14) Lebanon peacekeeping mission, on or after September 26, 1982, who has served in Lebanon or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before December 1, 1987 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(15) Grenada peacekeeping mission, on or after October 23, 1983, who has served in Grenada or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 21, 1983 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(16) Panama peacekeeping mission, on or after December 20, 1989 or the date of inception of that mission, as proclaimed by the President of the United States or Congress, whichever date of inception is earliest, who has served in Panama or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before January 31, 1990 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has

completed the 14 days' service as herein provided;

(17) Operation "Desert Shield/Desert Storm" mission in the Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or the date of inception of that operation, as proclaimed by the President of the United States or Congress, whichever date of inception is earliest, who has served in the Arabian peninsula or on board any ship actively engaged in patrolling the Persian Gulf for a period, continuous or in the aggregate, of at least 14 days commencing on or before the date of termination of that mission, as proclaimed by the President of the United States, Congress or the Governor, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided.

"Veteran" also means any honorably discharged member of the American Merchant Marine who served during World War II and is declared by the United States Department of Defense to be eligible for federal veterans' benefits.

s. "Child" means a deceased member's unmarried child either (a) under the age of 18 or (b) of any age who, at the time of the member's death, is disabled because of mental retardation or physical incapacity, is unable to do any substantial, gainful work because of the impairment and the impairment has lasted or can be expected to last for a continuous period of not less than 12 months, as affirmed by the medical board.

t. "Widower" means the man to whom a member was married at least five years before the date of her death and to whom she continued to be married until the date of her death and who was receiving at least one-half of his support from the member in the 12-month period immediately preceding the member's death or the accident which was the direct cause of the member's death. The dependency of such a widower will be considered terminated by marriage of the widower subsequent to the death of the member. In the event of the payment of an accidental death benefit, the five-year qualification shall be waived.

u. "Widow" means the woman to whom a member was married at least five years before the date of his death and to whom he continued to be married until the date of his death and who was receiving at least one-half of her support from the member in the 12-month period immediately preceding the member's death or the accident which was the direct cause of the member's death. The dependency of such a widow will be considered terminated by the marriage of the widow subsequent to the member's death. In the event of the payment of an accidental death benefit, the five-year qualification shall be waived.

v. "Parent" means the parent of a member who was receiving at least one-half of the parent's support from the member in the 12-month period immediately preceding the member's death or the accident which was the direct cause of the member's death. The dependency of such a parent will be considered terminated by marriage of the parent subsequent to the death of the member.

w. "Medical board" means the board of physicians provided for in N.J.S.18A:66-56.

3. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read as follows:

C.43:15A-6 Definitions.

6. As used in this act:

a. "Accumulated deductions" means the sum of all the amounts, deducted from the compensation of a member or contributed by or on behalf of the member, standing to the credit of the member's individual account in the annuity savings fund.

b. "Annuity" means payments for life derived from the accumulated deductions of a member as provided in this act.

c. "Annuity reserve" means the present value of all payments to be made on account of any annuity or benefit in lieu of an annuity, granted under the provisions of this act, computed on the basis of such mortality tables recommended by the actuary as the board of trustees adopts, with regular interest.

d. "Beneficiary" means any person receiving a retirement allowance or other benefit as provided in this act.

e. "Child" means a deceased member's unmarried child either (1) under the age of 18 or (2)

of any age who, at the time of the member's death, is disabled because of mental retardation or physical incapacity, is unable to do any substantial, gainful work because of the impairment and the impairment has lasted or can be expected to last for a continuous period of not less than 12 months, as affirmed by the medical board.

f. "Parent" shall mean the parent of a member who was receiving at least 1/2 of the parent's support from the member in the 12-month period immediately preceding the member's death or the accident which was the direct cause of the member's death. The dependency of such a parent will be considered terminated by marriage of the parent subsequent to the death of the member.

g. "Widower" means the man to whom a member was married at least five years before the date of her death and to whom she continued to be married until the date of her death and who was receiving at least 1/2 of his support from the member in the 12-month period immediately preceding the member's death or the accident which was the direct cause of the member's death. The dependency of such a widower will be considered terminated by marriage of the widower subsequent to the death of the member. In the event of the payment of an accidental death benefit, the five-year qualification shall be waived.

h. "Final compensation" means the average annual compensation for which contributions are made for the three years of creditable service in New Jersey immediately preceding the member's retirement or death, or it shall mean the average annual compensation for New Jersey service for which contributions are made during any three fiscal years of his or her membership providing the largest possible benefit to the member or the member's beneficiary.

i. "Fiscal year" means any year commencing with July 1 and ending with June 30 next following.

j. "Medical board" shall mean the board of physicians provided for in section 17 (C.43:15A-17).

k. "Pension" means payments for life derived from appropriations made by the employer as provided in this act.

l. "Pension reserve" means the present value of all payments to be made on account of any pension or benefit in lieu of a pension granted under the provisions of this act, computed on the basis of such mortality tables recommended by the actuary as the board of trustees adopts, with regular interest.

m. "Public Employees' Retirement System of New Jersey," hereinafter referred to as the "retirement system" or "system," is the corporate name of the arrangement for the payment of retirement allowances and other benefits under the provisions of this act including the several funds placed under said system. By that name all of its business shall be transacted, its funds invested, warrants for money drawn, and payments made and all of its cash and securities and other property held.

n. "Regular interest" shall mean interest as determined by the State Treasurer, after consultation with the Directors of the Divisions of Investment and Pensions, the board of trustees and the actuary. It shall bear a reasonable relationship to the percentage rate of earnings on investments based on the market value of the assets but shall not exceed the assumed percentage rate of increase applied to salaries plus 3%, provided however that the board of trustees shall not set the average percentage rate of increase applied to salaries below 6%.

o. "Retirement allowance" means the pension plus the annuity.

p. "Veteran" means any honorably discharged officer, soldier, sailor, airman, marine or nurse who served in any Army, Air Force or Navy of the Allies of the United States in World War I, between July 14, 1914, and November 11, 1918, or who served in any Army, Air Force or Navy of the Allies of the United States in World War II, between September 1, 1939, and September 2, 1945, and who was inducted into such service through voluntary enlistment, and was a citizen of the United States at the time of such enlistment, and who did not, during or by reason of such service, renounce or lose United States citizenship, and any officer, soldier, sailor, marine, airman, nurse or army field clerk, who has served in the active military or naval service of the United States and has or shall be discharged or released therefrom under conditions other than dishonorable, in any of the following wars, uprisings, insurrections, expeditions, or emergencies, and who has presented to the retirement system evidence of such record of service in form and content satisfactory to said retirement system:

(1) The Indian wars and uprisings during any of the periods recognized by the War Department of the United States as periods of active hostility;

(2) The Spanish-American War between April 20, 1898, and April 11, 1899;

(3) The Philippine insurrections and expeditions during the periods recognized by the War Department of the United States as of active hostility from February 4, 1899, to the end of 1913;

(4) The Peking relief expedition between June 20, 1900, and May 27, 1902;

(5) The army of Cuban occupation between July 18, 1898, and May 20, 1902;

(6) The army of Cuban pacification between October 6, 1906, and April 1, 1909;

(7) The Mexican punitive expedition between March 14, 1916, and February 7, 1917;

(8) The Mexican border patrol, having actually participated in engagements against Mexicans between April 12, 1911, and June 16, 1919;

(9) World War I, between April 6, 1917, and November 11, 1918;

(10) World War II, between September 16, 1940, and December 31, 1946, who shall have served at least 90 days in such active service, exclusive of any period of assignment (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program which course was a continuation of a civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies any part of which 90 days was served between said dates; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 90-day service as herein provided;

(11) Korean conflict on or after June 23, 1950, and on or prior to January 31, 1955, who shall have served at least 90 days in such active service, exclusive of any period of assignment (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program which course was a continuation of a civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which 90 days was served between said dates; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 90-day service as herein provided; and provided further, that any member classed as a veteran pursuant to this paragraph prior to August 1, 1966, shall continue to be classed as a veteran whether or not that person completed the 90-day service between said dates as herein provided;

(12) Lebanon crisis, on or after July 1, 1958, who has served in Lebanon or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 1, 1958 or the date of termination of that conflict, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(13) Vietnam conflict on or after December 31, 1960, and on or prior to May 7, 1975, who shall have served at least 90 days in such active service, exclusive of any period of assignment (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program which course was a continuation of a civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which 90 days was served between said dates; and exclusive of any service performed pursuant to the provisions of section 511(d) of Title 10, United States Code, pursuant to an enlistment in the Army National Guard or as a reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 90 days' service as herein provided;

(14) Lebanon peacekeeping mission, on or after September 26, 1982, who has served in Lebanon or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before December 1, 1987 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed

as a veteran whether or not that person has completed the 14 days' service as herein provided;

(15) Grenada peacekeeping mission, on or after October 23, 1983, who has served in Grenada or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 21, 1983 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(16) Panama peacekeeping mission, on or after December 20, 1989 or the date of inception of that mission, as proclaimed by the President of the United States or Congress, whichever date of inception is earliest, who has served in Panama or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before January 31, 1990 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(17) Operation "Desert Shield/Desert Storm" mission in the Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or the date of inception of that operation, as proclaimed by the President of the United States, Congress or the Governor, whichever date of inception is earliest, who has served in the Arabian peninsula or on board any ship actively engaged in patrolling the Persian Gulf for a period, continuous or in the aggregate, of at least 14 days commencing on or before the date of termination of that mission, as proclaimed by the President of the United States, Congress or the Governor, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided.

"Veteran" also means any honorably discharged member of the American Merchant Marine who served during World War II and is declared by the United States Department of Defense to be eligible for federal veterans' benefits.

q. "Widow" means the woman to whom a member was married at least five years before the date of his death and to whom he continued to be married until the date of his death and who was receiving at least 1/2 of her support from the member in the 12-month period immediately preceding the member's death or the accident which was the direct cause of the member's death. The dependency of such a widow will be considered terminated by the marriage of the widow subsequent to the member's death. In the event of the payment of an accidental death benefit, the five-year qualification shall be waived.

r. "Compensation" means the base or contractual salary, for services as an employee, which is in accordance with established salary policies of the member's employer for all employees in the same position but shall not include individual salary adjustments which are granted primarily in anticipation of the member's retirement or additional remuneration for performing temporary or extracurricular duties beyond the regular workday or the regular work year. In cases where salary includes maintenance, the retirement system shall fix the value of that part of the salary not paid in money which shall be considered under this act.

C.43:15A-24a State liable for increased cost to government employers for veterans of Lebanon crisis.

4. The State shall be liable for any increased cost to local government employers participating in the Public Employees' Retirement System, established pursuant to P.L.1954, c.84 (C.43:15A-1 et seq.), as a result of the provisions of this act, P.L.2001, c.127.

5. Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is amended to read as follows:

C.43:16A-11.7 Definition of veteran.

1. For purposes of this act "veteran" means any honorably discharged officer, soldier, sailor,

airman, marine or nurse who served in any Army, Air Force or Navy of the Allies of the United States in World War I, between July 14, 1914, and November 11, 1918, or who served in any Army, Air Force or Navy of the Allies of the United States in World War II, between September 1, 1939, and September 2, 1945, and who was inducted into such service through voluntary enlistment, and was a citizen of the United States at the time of such enlistment, and who did not, during or by reason of such service, renounce or lose United States citizenship, and any officer, soldier, sailor, marine, airman, nurse or army field clerk, who has served in the active military or naval service of the United States and has or shall be discharged or released therefrom under conditions other than dishonorable, in any of the following wars, uprisings, insurrections, expeditions, or emergencies, and who has presented to the retirement system evidence of such record of service in form and content satisfactory to said retirement system:

(1) The Indian wars and uprisings during any of the periods recognized by the War Department of the United States as periods of active hostility;

(2) The Spanish-American War between April 20, 1898, and April 11, 1899;

(3) The Philippine insurrections and expeditions during the periods recognized by the War Department of the United States as of active hostility from February 4, 1899, to the end of 1913;

(4) The Peking relief expedition between June 20, 1900, and May 27, 1902;

(5) The army of Cuban occupation between July 18, 1898, and May 20, 1902;

(6) The army of Cuban pacification between October 6, 1906, and April 1, 1909;

(7) The Mexican punitive expedition between March 14, 1916, and February 7, 1917;

(8) The Mexican border patrol, having actually participated in engagements against Mexicans between April 12, 1911, and June 16, 1919;

(9) World War I between April 6, 1917, and November 11, 1918;

(10) World War II, between September 16, 1940, and December 31, 1946, who shall have served at least 90 days in such active service, exclusive of any period of assignment (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training program which course was a continuation of a civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies any part of which 90 days was served between said dates; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 90-day service as herein provided;

(11) Korean conflict on or after June 23, 1950, and on or prior to January 31, 1955, who shall have served at least 90 days in such active service, exclusive of any period of assignment (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program which course was a continuation of a civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which 90 days was served between said dates; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 90-day service as herein provided; and provided further, that any member classed as a veteran pursuant to this subparagraph prior to August 1, 1966, shall continue to be classed as a veteran whether or not the member completed the 90-day service between said dates as herein provided;

(12) Lebanon crisis, on or after July 1, 1958, who has served in Lebanon or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 1, 1958 or the date of termination of that conflict, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(13) Vietnam conflict on or after December 31, 1960, and on or prior to May 7, 1975, who shall have served at least 90 days in such active service, exclusive of any period of assignment (1) for a course of education or training under the Army Specialized Training Program or the Navy College Training Program which course was a continuation of a civilian course and was pursued to completion, or (2) as a cadet or midshipman at one of the service academies, any part of which 90 days was served between said dates; and exclusive of any service performed

pursuant to the provisions of section 511 (d) of Title 10, United States Code, pursuant to an enlistment in the Army National Guard or as a reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 90 days' service as herein provided;

(14) Lebanon peacekeeping mission, on or after September 26, 1982, who has served in Lebanon or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before December 1, 1987 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(15) Grenada peacekeeping mission, on or after October 23, 1983, who has served in Grenada or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 21, 1983 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(16) Panama peacekeeping mission, on or after December 20, 1989 or the date of inception of that mission, as proclaimed by the President of the United States or Congress, whichever date of inception is earliest, who has served in Panama or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before January 31, 1990 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

(17) Operation "Desert Shield/Desert Storm" mission in the Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or the date of inception of that operation, as proclaimed by the President of the United States or Congress, whichever date of inception is earliest, who has served in the Arabian peninsula or on board any ship actively engaged in patrolling the Persian Gulf for a period, continuous or in the aggregate, of at least 14 days commencing on or before the date of termination of that mission, as proclaimed by the President of the United States, Congress or the Governor, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided.

"Veteran" also means any honorably discharged member of the American Merchant Marine who served during World War II and is declared by the United States Department of Defense to be eligible for federal veterans' benefits.

6. Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to read as follows:

C.54:4-8.10 Definitions.

1. (a) "Active service in time of war" means active service at some time during one of the following periods:

Operation "Restore Hope" in Somalia, commencing on or after December 5, 1992, or the date of inception of that operation as proclaimed by the President of the United States or the Congress, whichever date is earliest, and terminating on March 31, 1994, or the date of termination as proclaimed by the President of the United States or the Congress, whichever date is latest, who served for at least 14 days, continuously or in the aggregate, in Somalia or on board any ship actively engaged in patrolling the territorial waters of that nation during the specified period; provided that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14-day service as

herein provided;

Operations "Joint Endeavor" and "Joint Guard" in the Republic of Bosnia and Herzegovina, commencing on or after November 20, 1995 or December 20, 1996, as the case may be, and terminating on December 20, 1996 or on such date as the United States Secretary of Defense may designate, as the case may be, who served in direct support of one or both of the operations for at least 14 days, continuously or in the aggregate, and (1) was deployed in that nation or in another area in the region, or (2) was on board a United States naval vessel operating in the Adriatic Sea, or (3) operated in airspace above the Republic of Bosnia and Herzegovina; provided that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person completed the 14-day service requirement;

Operation "Desert Shield/Desert Storm" mission in the Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or the date of inception of that operation, as proclaimed by the President of the United States or Congress, whichever date of inception is earliest, who has served in the Arabian peninsula or on board any ship actively engaged in patrolling the Persian Gulf for a period, continuous or in the aggregate, of at least 14 days commencing on or before the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

The Panama peacekeeping mission, on or after December 20, 1989 or the date of inception of that mission, as proclaimed by the President of the United States or Congress, whichever date of inception is earliest, who has served in Panama or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before January 31, 1990 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

The Grenada peacekeeping mission, on or after October 23, 1983, who has served in Grenada or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 21, 1983 or the date of termination of that mission as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

The Lebanon peacekeeping mission, on or after September 26, 1982, who has served in Lebanon or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before December 1, 1987 or the date of termination of that mission, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

The Vietnam conflict, December 31, 1960, to May 7, 1975;

The Lebanon crisis, on or after July 1, 1958, who has served in Lebanon or on board any ship actively engaged in patrolling the territorial waters of that nation for a period, continuous or in the aggregate, of at least 14 days commencing on or before November 1, 1958 or the date of termination of that conflict, as proclaimed by the President of the United States or Congress, whichever date of termination is the latest, in such active service; provided, that any person receiving an actual service-incurred injury or disability shall be classed as a veteran whether or not that person has completed the 14 days' service as herein provided;

The Korean conflict, June 23, 1950 to January 31, 1955;

World War II, September 16, 1940 to December 31, 1946;

World War I, April 6, 1917 to November 11, 1918, and in the case of service with the United States military forces in Russia, April 6, 1917 to April 1, 1920;

Spanish-American War, April 21, 1898 to August 13, 1898;

Civil War, April 15, 1861 to May 26, 1865; or, as to any subsequent war, during the period from the date of declaration of war to the date on which actual hostilities shall cease.

(b) "Assessor" means the assessor, board of assessors or any other official or body of a taxing district charged with the duty of assessing real and personal property for the purpose of general taxation.

(c) "Collector" means the collector or receiver of taxes of a taxing district.

(d) "Honorably discharged or released under honorable circumstances from active service in time of war," means and includes every form of separation from active, full-time duty with military or naval pay and allowances in some branch of the Armed Forces of the United States in time of war, other than those marked "dishonorable," "undesirable," "bad conduct," "by sentence of general court martial," "by sentence of summary court martial" or similar expression indicating that the discharge or release was not under honorable circumstances. A disenrollment certificate or other form of release terminating temporary service in a military or naval branch of the armed forces rendered on a voluntary and part-time basis without pay, or a release from or deferment of induction into the active military or naval service shall not be deemed to be included in the aforementioned phrase.

(e) "Pre-tax year" means the particular calendar year immediately preceding the "tax year."

(f) "Resident" means one legally domiciled within the State of New Jersey. Mere seasonal or temporary residence within the State, of whatever duration, shall not constitute domicile within the State for the purposes of this act. Absence from this State for a period of 12 months shall be prima facie evidence of abandonment of domicile in this State. The burden of establishing legal domicile within the State shall be upon the claimant.

(g) "Tax year" means the particular calendar year in which the general property tax is due and payable.

(h) "Veteran" means any citizen and resident of this State honorably discharged or released under honorable circumstances from active service in time of war in any branch of the Armed Forces of the United States.

(i) "Veteran's deduction" means the deduction against the taxes payable by any person, allowable pursuant to this act.

(j) "Surviving spouse" means the surviving wife or husband of any of the following, while he or she is a resident of this State, during widowhood or widowerhood:

1. A citizen and resident of this State who has died or shall die while on active duty in time of war in any branch of the Armed Forces of the United States; or

2. A citizen and resident of this State who has had or shall hereafter have active service in time of war in any branch of the Armed Forces of the United States and who died or shall die while on active duty in a branch of the Armed Forces of the United States; or

3. A citizen and resident of this State who has been or may hereafter be honorably discharged or released under honorable circumstances from active service in time of war in any branch of the Armed Forces of the United States.

(k) "Cooperative" means a housing corporation or association incorporated or organized under the laws of New Jersey which entitles a shareholder thereof to possess and occupy for dwelling purposes a house, apartment or other structure owned or leased by the corporation or association.

(l) "Mutual housing corporation" means a corporation not-for-profit incorporated under the laws of New Jersey on a mutual or cooperative basis within the scope of section 607 of the "National Defense Housing Act," Pub.L.76-849 (42 U.S.C.s.1521 et seq.), which acquired a National Defense Housing Project pursuant to that act.

7. This act shall take effect immediately.

Approved June 28, 2001.

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TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

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RELEASE: June 28 , 2001

**DiFRANCESCO SIGNS LEGISLATION EXPANDING VETERANS' BENEFITS
TO THOSE WHO SERVED IN LEBANON CRISIS AND PEACEKEEPING
MISSIONS**

Honors Local Heroes and late Assemblyman Alan Augustine

Acting Governor Donald T. DiFrancesco signed into law today two bills expanding benefits to those veterans who participated in the Lebanon Crisis of 1958 and peacekeeping operations in Somalia and the Republic of Bosnia and Herzegovina. DiFrancesco honored two New Jersey veterans, as well as the late Assemblyman Alan Augustine, who sponsored both bills.

"New Jersey doesn't forget its fighting men and women. We honor them and we honor their service, whether they served in a World War, Southeast Asia, Korea, the Persian Gulf, or in conflicts such as Lebanon, Somalia, or Bosnia and Herzegovina.

"The world today is a very different place in the struggle for freedom. Our fighting forces are called to action in many different locations around the world. Yet when facing the enemy there is no difference between these limited actions and the larger battles fought in World War II, Korea or Vietnam. Both of the bills before me today honor our commitment to our servicemen and women," stated the acting Governor.

Assembly Bill 1330 extends eligibility for various state benefits to veterans on active duty during the Lebanon Crisis of 1958. These benefits can include civil service preference and eligibility for enhanced benefits under the Teachers' Pension Fund and the Public Employees' Retirement System. Veterans of the Lebanon Crisis may also be able to purchase credit for military service as members of the Police and Firemen's Retirement System, or qualify for the annual veterans' personal property tax deduction.

Assembly Bill 1336 extends similar benefits to veterans of Operation "Restore Hope" in Somalia and Operations "Joint Endeavor" and "Joint Guard" in the Republic of Bosnia and Herzegovina.

DiFrancesco cited Assemblyman Augustine, who sponsored A1330 along with Assemblyman Joe Azzolina (R-Middlesex/Monmouth). The bill was cosponsored by Assemblymembers Kip Bateman (R-Morris/Somerset), Guy Gregg (R-Sussex/Hunterdon/Morris), Rose Heck (R-Bergen), and Sam Thompson (R-Middlesex/Monmouth). Senator Joe Kyrillos (R-Middlesex/Monmouth) sponsored the bill in the Senate.

"The legislation Alan sponsored during his years in the Assembly covered the gamut of issues facing our great state. And I know that he was very proud of the bill I will sign today, since it honors the role veterans play in protecting our freedoms. I am pleased that Alan's daughter, Wendy Brill, her husband, Tom, and granddaughter, Allison, are with us today," remarked DiFrancesco.

The acting Governor also honored two veterans who will benefit from today's legislation. Staff Sgt. Kendrick Ross of Willingboro is a veteran of "Operation Restore Hope" in Somalia, where he served our country from November 1993 to February 1994. Sgt. Ross is on active duty in the U.S. Air Force.

Doug Hansen served on the U.S.S. Essex during the Lebanon Crisis. He was honorably discharged from the U.S. Navy, where he was a Petty Officer.

A1336 was sponsored by Assemblymembers Augustine, Nick Asselta (R-Cape May/Atlantic/Cumberland), Nick Felice (R-Bergen/Passaic) and Ken LeFevre (R-Atlantic) and by Senators Jim Cafiero (R-Cape May/Atlantic/Cumberland) and Tony Bucco (R-Morris).

Under DiFrancesco's leadership, New Jersey has increased the annual property tax deduction for eligible veterans and surviving spouses, and excluded military pensions and survivor's benefits from the state income tax.

"In all of these steps, we have been guided by one philosophy: wherever they served, whether the conflict was small or large or in-between, our veterans deserve the best we can give. We will continue to do right for them, because they have been there for New Jersey and America," stated DiFrancesco.