

18A:66-22

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2001 **CHAPTER:** 128
NJSA: 18A:66-22 (Expands veterans' benefits – Bosnia, Somalia)
BILL NO: A1336 (Substituted for S1149)

SPONSOR(S): Augustine and Asselta

DATE INTRODUCED: Pre-filed

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

SENATE: State Government

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)

A1336

SPONSORS STATEMENT: (Begins on page 17 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes 2-28-2000
(State Govt.)

5-22-2000 (Approp.)

SENATE: Yes

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: Yes

S1149

SPONSORS STATEMENT: (Begins on page 17 of original bill) Yes

Bill and Sponsors Statement identical to A1336

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

Identical to Senate Statement for A1336

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

ASSEMBLY, No. 1336

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 NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

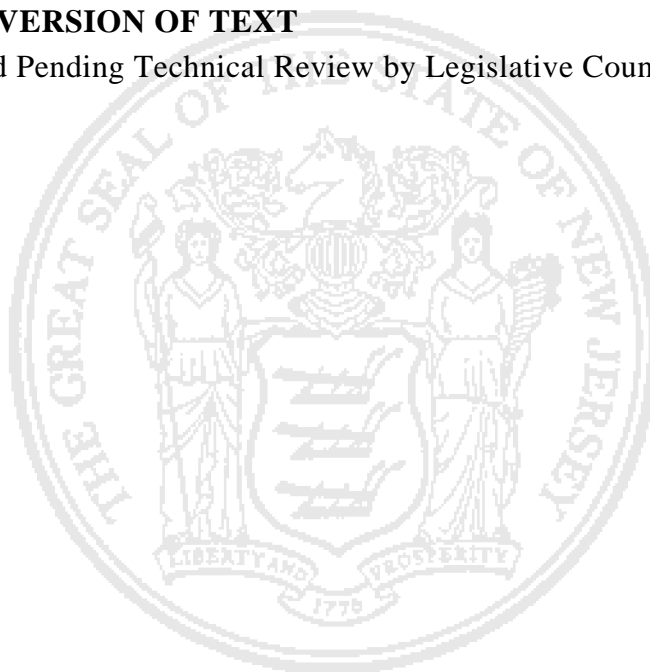
Assemblyman LeFevre

SYNOPSIS

Extends TPAF, PERS and PFRS veteran's status to certain participants in peace-keeping operations in Somalia and Republic of Bosnia and Herzegovina.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



A1336 AUGUSTINE, ASSELTA

2

1 **AN ACT** concerning the qualification of certain persons as veterans for
2 certain purposes and amending N.J.S.18A:66-2, P.L.1954, c.84 and
3 P.L.1983, c.391.

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

7
8 1. N.J.S.18A:66-2 is amended to read as follows;
9 18A:66-2. As used in this article:

10 a. "Accumulated deductions" means the sum of all the amounts,
11 deducted from the compensation of a member or contributed by or in
12 behalf of the member, including interest credited to January 1, 1956,
13 standing to the credit of the member's individual account in the annuity
14 savings fund.

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

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

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

26 e. "Employer" means the State, the board of education or any
27 educational institution or agency of or within the State by which a
28 teacher is paid.

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

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

38 h. "Pension" means payments for life derived from appropriations
39 made by the State or employers to the Teachers' Pension and Annuity
40 Fund.

41 i. "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 article, computed on the basis of

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 such mortality tables recommended by the actuary as the board of
2 trustees adopts, with regular interest.
- 3 j. "Pension reserve" means the present value of all payments to be
4 made on account of any pension or benefit in lieu of a pension granted
5 to a member from the Teachers' Pension and Annuity Fund, computed
6 on the basis of such mortality tables recommended by the actuary as
7 the board of trustees adopts, with regular interest.
- 8 k. "Present-entrant" means any member of the Teachers' Pension
9 and Annuity Fund who had established status as a "present-entrant
10 member" of said fund prior to January 1, 1956.
- 11 l. "Rate of contribution initially certified" means the rate of
12 contribution certified by the retirement system in accordance with
13 N.J.S.18A:66-29.
- 14 m. "Regular interest" shall mean interest as determined by the State
15 Treasurer, after consultation with the Directors of the Divisions of
16 Investment and Pensions, the board of trustees and the actuary. It
17 shall bear a reasonable relationship to the percentage rate of earnings
18 on investments based on the market value of assets but shall not
19 exceed the assumed percentage rate of increase applied to salaries plus
20 3%, provided however that the board of trustees shall not set the
21 average percentage rate of increase applied to salaries below 6%.
- 22 n. "Retirement allowance" means the pension plus the annuity.
- 23 o. "School service" means any service as a "teacher" as defined in
24 this section.
- 25 p. "Teacher" means any regular teacher, special teacher, helping
26 teacher, teacher clerk, principal, vice-principal, supervisor, supervising
27 principal, director, superintendent, city superintendent, assistant city
28 superintendent, county superintendent, State Commissioner or
29 Assistant Commissioner of Education, members of the State
30 Department of Education who are certificated, unclassified
31 professional staff and other members of the teaching or professional
32 staff of any class, public school, high school, normal school, model
33 school, training school, vocational school, truant reformatory school,
34 or parental school, and of any and all classes or schools within the
35 State conducted under the order and superintendence, and wholly or
36 partly at the expense of the State Board of Education, of a duly
37 elected or appointed board of education, board of school directors, or
38 board of trustees of the State or of any school district or normal
39 school district thereof, and any persons under contract or engagement
40 to perform one or more of these functions. It shall also mean any
41 person who serves, while on an approved leave of absence from
42 regular duties as a teacher, as an officer of a local, county or State
43 labor organization which represents, or is affiliated with an
44 organization which represents, teachers as defined in this subsection.
45 No person shall be deemed a teacher within the meaning of this article
46 who is a substitute teacher. In all cases of doubt the board of trustees

1 shall determine whether any person is a teacher as defined in this
2 article.

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

11 r. "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 July
14 14, 1914, and November 11, 1918, or who served in any Army, Air
15 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 April
32 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, and May
37 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 December
3 31, 1946, who shall have served at least 90 days in such active service,
4 exclusive of any period of assignment (1) for a course of education or
5 training under the Army Specialized Training Program or the Navy
6 College Training Program, which course was a continuation of a
7 civilian course and was pursued to completion, or (2) as a cadet or
8 midshipman at one of the service academies, any part of which 90 days
9 was served between said dates; provided that any person receiving an
10 actual service-incurred injury or disability shall be classed as a veteran,
11 whether or not that person has completed the 90-day service as herein
12 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 90
20 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 subsection 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) Vietnam conflict, on or after December 31, 1960, and on or
29 prior to May 7, 1975, who shall have served at least 90 days in such
30 active service, exclusive of any period of assignment (1) for a course
31 of education or training under the Army Specialized Training Program
32 or the Navy College Training Program, which course was a
33 continuation of a civilian course and was pursued to completion, or (2)
34 as a cadet or midshipman at one of the service academies, any part of
35 which 90 days was served between said dates; and exclusive of any
36 service performed pursuant to the provisions of section 511(d) of Title
37 10, United States Code, pursuant to an enlistment in the Army
38 National Guard or as a reserve for service in the Army Reserve, Naval
39 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
40 Reserve; provided that any person receiving an actual service-incurred
41 injury or disability shall be classed as a veteran, whether or not that
42 person has completed the 90-day service as herein provided;

43 (13) Lebanon peacekeeping mission, on or after September 26,
44 1982, who has served in Lebanon or on board any ship actively
45 engaged in patrolling the territorial waters of that nation for a period,
46 continuous or in the aggregate, of at least 14 days commencing on or

1 before December 1, 1987 or the date of termination of that mission, as
2 proclaimed by the President of the United States or Congress,
3 whichever date of termination is the latest, in such active service;
4 provided, that any person receiving an actual service-incurred injury
5 or disability shall be classed as a veteran whether or not that person
6 has completed the 14 days' service as herein provided;

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

17 (15) Panama peacekeeping mission, on or after December 20, 1989
18 or the date of inception of that mission, as proclaimed by the President
19 of the United States or Congress, whichever date of inception is
20 earliest, who has served in Panama or on board any ship actively
21 engaged in patrolling the territorial waters of that nation for a period,
22 continuous or in the aggregate, of at least 14 days commencing on or
23 before January 31, 1990 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 (16) Operation "Desert Shield/Desert Storm" mission in the
30 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
31 the date of inception of that operation, as proclaimed by the President
32 of the United States or Congress, whichever date of inception is
33 earliest, who has served in the Arabian peninsula or on board any ship
34 actively engaged in patrolling the Persian Gulf for a period, continuous
35 or in the aggregate, of at least 14 days commencing on or before the
36 date of termination of that mission, as proclaimed by the President of
37 the United States [,] or Congress [or the Governor], whichever date
38 of termination is the latest, in such active service; provided, that any
39 person receiving an actual service-incurred injury or disability shall be
40 classed as a veteran whether or not that person has completed the 14
41 days' service as herein provided;

42 (17) Operation "Restore Hope" in Somalia, commencing on or
43 after December 5, 1992, or the date of inception of that operation as
44 proclaimed by the President of the United States or the Congress,
45 whichever date is earliest, and terminating on March 31, 1994, or the
46 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 (18) Operations "Joint Endeavor" and "Joint Guard" in the
9 Republic of Bosnia and Herzegovina, commencing on or after
10 November 20, 1995 or December 20, 1996, as the case may be, and
11 terminating on December 20, 1996 or on such date as the United
12 States Secretary of Defense may designate, as the case may be, who
13 served in direct support of one or both of the operations for at least 14
14 days, continuously or in the aggregate, and (1) was deployed in that
15 nation or in another area in the region, or (2) was on board a United
16 States naval vessel operating in the Adriatic Sea, or (3) operated in
17 airspace above the Republic of Bosnia and Herzegovina; provided that
18 any person receiving an actual service-incurred injury or disability shall
19 be classed as a veteran whether or not that person completed the 14-
20 day service requirement.

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

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

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

42 u. "Widow" means the woman to whom a member was married at
43 least five years before the date of his death and to whom he continued
44 to be married until the date of his death and who was receiving at least
45 one-half of her support from the member in the 12-month period
46 immediately preceding the member's death or the accident which was

1 the direct cause of the member's death. The dependency of such a
2 widow will be considered terminated by the marriage of the widow
3 subsequent to the member's death. In the event of the payment of an
4 accidental death benefit, the five-year qualification shall be waived.

5 v. "Parent" means the parent of a member who was receiving at
6 least one-half of the parent's support from the member in the 12-month
7 period immediately preceding the member's death or the accident
8 which was the direct cause of the member's death. The dependency of
9 such a parent will be considered terminated by marriage of the parent
10 subsequent to the death of the member.

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

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

14

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

17 6. As used in this act:

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

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

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

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

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

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

44 g. "Widower" means the man to whom a member was married at
45 least five years before the date of her death and to whom she
46 continued to be married until the date of her death and who was

1 receiving at least 1/2 of his 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 widower will be considered terminated by marriage of the
5 widower subsequent to the death of the member. In the event of the
6 payment of an accidental death benefit, the five-year qualification shall
7 be waived.

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

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

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

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

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

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

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

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

43 p. "Veteran" means any honorably discharged officer, soldier,
44 sailor, airman, marine or nurse who served in any Army, Air Force or
45 Navy of the Allies of the United States in World War I, between July
46 14, 1914, and November 11, 1918, or who served in any Army, Air

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

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

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

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

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

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

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

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

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

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

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

45 (11) Korean conflict on or after June 23, 1950, and on or prior to
46 January 31, 1955, who shall have served at least 90 days in such active

1 service, exclusive of any period of assignment (1) for a course of
2 education or training under the Army Specialized Training Program or
3 the Navy College Training Program which course was a continuation
4 of a civilian course and was pursued to completion, or (2) as a cadet
5 or midshipman at one of the service academies, any part of which 90
6 days was served between said dates; provided, 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 as herein provided; and provided further, that any member
10 classed as a veteran pursuant to this paragraph prior to August 1,
11 1966, shall continue to be classed as a veteran whether or not that
12 person completed the 90-day service between said dates as herein
13 provided;

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

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

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

1 or disability shall be classed as a veteran whether or not that person
2 has completed the 14 days' service as herein provided;

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

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

28 (17) Operation "Restore Hope" in Somalia, commencing on or
29 after December 5, 1992, or the date of inception of that operation as
30 proclaimed by the President of the United States or the Congress,
31 whichever date is earliest, and terminating on March 31, 1994, or the
32 date of termination as proclaimed by the President of the United States
33 or the Congress, whichever date is latest, who served for at least 14
34 days, continuously or in the aggregate, in Somalia or on board any
35 ship actively engaged in patrolling the territorial waters of that nation
36 during the specified period; 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 14-day service as herein
39 provided;

40 (18) Operations "Joint Endeavor" and "Joint Guard" in the
41 Republic of Bosnia and Herzegovina, commencing on or after
42 November 20, 1995 or December 20, 1996, as the case may be, and
43 terminating on December 20, 1996 or on such date as the United
44 States Secretary of Defense may designate, as the case may be, who
45 served in direct support of one or both of the operations for at least 14
46 days, continuously or in the aggregate, and (1) was deployed in that

1 nation or in another area in the region, or (2) was on board a United
2 States naval vessel operating in the Adriatic Sea, or (3) operated in
3 airspace above the Republic of Bosnia and Herzegovina; provided that
4 any person receiving an actual service-incurred injury or disability shall
5 be classed as a veteran whether or not that person completed the 14-
6 day service requirement.

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

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

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

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

31

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

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

1 dishonorable, in any of the following wars, uprisings, insurrections,
2 expeditions, or emergencies, and who has presented to the retirement
3 system evidence of such record of service in form and content
4 satisfactory to said retirement 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 April
9 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 May
14 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 December
26 31, 1946, who shall have served at least 90 days in such active service,
27 exclusive of any period of assignment (1) for a course of education or
28 training under the Army Specialized Training Program or the Navy
29 College Training program which course was a continuation of a
30 civilian course and was pursued to completion, or (2) as a cadet or
31 midshipman at one of the service academies any part of which 90 days
32 was served between said dates; 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 90-day service as herein
35 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 90
43 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 subparagraph prior to August 1,
2 1966, shall continue to be classed as a veteran whether or not the
3 member completed the 90-day service between said dates as herein
4 provided;

5 (12) Vietnam conflict on or after December 31, 1960, and on or
6 prior to May 7, 1975, 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; and exclusive of any
13 service performed pursuant to the provisions of section 511 (d) of
14 Title 10, United States Code, pursuant to an enlistment in the Army
15 National Guard or as a reserve for service in the Army Reserve, Naval
16 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
17 Reserve; 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 90 days' service as herein provided;

20 (13) Lebanon peacekeeping mission, on or after September 26,
21 1982, who has served in Lebanon or on board any ship actively
22 engaged in patrolling the territorial waters of that nation for a period,
23 continuous or in the aggregate, of at least 14 days commencing on or
24 before December 1, 1987 or the date of termination of that mission, as
25 proclaimed by the President of the United States or Congress,
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 (14) Grenada peacekeeping mission, on or after October 23, 1983,
31 who has served in Grenada or on board any ship actively engaged in
32 patrolling the territorial waters of that nation for a period, continuous
33 or in the aggregate, of at least 14 days commencing on or before
34 November 21, 1983 or the date of termination of that mission, as
35 proclaimed by the President of the United States or Congress,
36 whichever date of termination is the latest, in such active service;
37 provided, that any person receiving an actual service-incurred injury
38 or disability shall be classed as a veteran whether or not that person
39 has completed the 14 days' service as herein provided;

40 (15) Panama peacekeeping mission, on or after December 20, 1989
41 or the date of inception of that mission, as proclaimed by the President
42 of the United States or Congress, whichever date of inception is
43 earliest, who has served in Panama or on board any ship actively
44 engaged in patrolling the territorial waters of that nation for a period,
45 continuous or in the aggregate, of at least 14 days commencing on or
46 before January 31, 1990 or the date of termination of that mission, as

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

6 (16) Operation "Desert Shield/Desert Storm" mission in the
7 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
8 the date of inception of that operation, as proclaimed by the President
9 of the United States or Congress, whichever date of inception is
10 earliest, who has served in the Arabian peninsula or on board any ship
11 actively engaged in patrolling the Persian Gulf for a period, continuous
12 or in the aggregate, of at least 14 days commencing on or before the
13 date of termination of that mission, as proclaimed by the President of
14 the United States [.] or Congress [or the Governor], whichever date
15 of 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 (17) Operation "Restore Hope" in Somalia, commencing on or
20 after December 5, 1992, or the date of inception of that operation as
21 proclaimed by the President of the United States or the Congress,
22 whichever date is earliest, and terminating on March 31, 1994, or the
23 date of termination as proclaimed by the President of the United States
24 or the Congress, whichever date is latest, who served for at least 14
25 days, continuously or in the aggregate, in Somalia or on board any
26 ship actively engaged in patrolling the territorial waters of that nation
27 during the specified period; provided that any person receiving an
28 actual service-incurred injury or disability shall be classed as a veteran
29 whether or not that person has completed the 14-day service as herein
30 provided;

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

44 "Veteran" also means any honorably discharged member of the
45 American Merchant Marine who served during World War II and is
46 declared by the United States Department of Defense to be eligible for

1 federal veterans' benefits.
2 (cf: P.L.1995, c.406, s.4)

3

4 4. This act shall take effect immediately.

5

6

7

STATEMENT

8

9 This bill expands the definition of veteran in the Teachers' Pension
10 and Annuity Fund (TPAF), the Public Employees' Retirement System
11 (PERS) and the Police and Firemen's Retirement System (PFRS) to
12 persons who served in the armed forces of the United States in peace-
13 keeping operations in Somalia and the Republic of Bosnia and
14 Herzegovina.

15 The bill defines as a veteran any person who served in:

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

28 2) Operations "Joint Endeavor" and "Joint Guard" in the Republic
29 of Bosnia and Herzegovina, commencing on or after November 20,
30 1995 or December 20, 1996, as the case may be, and terminating on
31 December 20, 1996 or on such date as the United States Secretary of
32 Defense may designate, as the case may be, who served in direct
33 support of one or both of the operations for at least 14 days,
34 continuously or in the aggregate, and (1) was deployed in that nation
35 or in another area in the region, or (2) was on board a United States
36 naval vessel operating in the Adriatic Sea, or (3) operated in airspace
37 above the Republic of Bosnia and Herzegovina. Any person receiving
38 an actual service-incurred injury or disability shall be classed as a
39 veteran whether or not that person completed the 14-day service
40 requirement.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1336

STATE OF NEW JERSEY

DATED: FEBRUARY 28, 2000

The Assembly State Government Committee reports favorably Assembly, No. 1336.

This bill expands the definition of veteran in the Teachers' Pension and Annuity Fund (TPAF), the Public Employees' Retirement System (PERS) and the Police and Firemen's Retirement System (PFRS) to persons who served in the armed forces of the United States in peace-keeping operations in Somalia and the Republic of Bosnia and Herzegovina.

The bill defines as a veteran any person who served in:

1) 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. 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 provided by the bill; or

2) 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. 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.

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. 1336

STATE OF NEW JERSEY

DATED: MAY 22, 2000

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1336.

Assembly Bill No. 1336 expands the definition of veteran in the Teachers' Pension and Annuity Fund (TPAF), the Public Employees' Retirement System (PERS) and the Police and Firemen's Retirement System (PFRS) to persons who served in the armed forces of the United States in peace-keeping operations in Somalia and the Republic of Bosnia and Herzegovina.

The bill defines as a veteran any person who served in:

1) 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. 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 provided by the bill; or

2) 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. 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.

A veteran who is a member of PERS and TPAF is eligible to receive enhanced retirement benefits and to purchase additional service credit; a veteran who is a member of PFRS is eligible to purchase

additional service credit. The veteran bears the full cost of purchasing such service credit.

This bill is identical to Senate Bill No. 1149 of 2000.

The Pensions and Health Benefits Review Commission recommended enactment last session of the identical bill (S-1257) to preserve equity with other veterans of peace-keeping missions.

FISCAL IMPACT:

In the legislative fiscal estimate to last session's identical bill, the Office of Legislative Services (OLS) noted that without available information to indicate the number of persons who may qualify under this bill, it could not estimate the additional cost to the State.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 1336
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: JUNE 5, 2000

SUMMARY

Synopsis: Extends TPAF, PERS, and PFRS veterans' status to certain participants in peace-keeping operations in Somalia and Republic of Bosnia and Herzegovina.

Type of Impact: Potential State General Fund expenditure increase, potential local expenditure increase.

Agencies Affected: Department of Treasury, Division of Pensions and Benefits (administrative functions).

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	indeterminate/minimal	indeterminate/minimal	indeterminate/minimal
State Revenue	n/a	n/a	n/a
Local Cost	indeterminate/minimal	indeterminate/minimal	indeterminate/minimal
Local Revenue	n/a	n/a	n/a

! Potential for increase in costs to State and local governments for enhanced pension benefits. Amount of increase would depend on the number of additional qualifying veterans, which cannot be determined at this time, but is believed to be minimal.

BILL DESCRIPTION

Assembly Bill No. 1336 of 2000 expands the definition of veteran in the Teachers' Pension and Annuity Fund (TPAF), the Public Employees' Retirement System (PERS) and the Police and Firemen's Retirement System (PFRS) to include persons who served in the armed forces of the United States in peace-keeping operations in Somalia and the Republic of Bosnia and Herzegovina. Under the bill, a veteran is any person who served in a) 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, 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; or b) 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, in direct support of one or both of the operations for at least 14 days, continuously or in the aggregate, and was deployed in that nation or in another area in the region, or was on board a United States naval vessel operating in the Adriatic Sea, or operated in airspace above the Republic of Bosnia and Herzegovina.

A veteran who is a member of PERS and TPAF is eligible to receive enhanced retirement benefits and to purchase additional service credit for the military service that qualified the member as a veteran; a veteran who is a member of PFRS is eligible to purchase additional service credit for the military service that qualified the member as a veteran. A veteran bears the full cost of purchasing such service credit for PFRS.

The bill also changes a provision regarding the termination date of the Operation Desert Shield/ Desert Storm mission in order to be consistent with other statutes.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services (OLS) cannot estimate additional costs resulting from this proposed legislation because information regarding the number and status of individuals who might qualify for these additional benefits is not available. However, because these conflicts occurred relatively recently, and the number of military personnel involved was not large, it is believed that the overall cost to the State and local governments would not be significant.

The cost for each qualifying person would vary, depending upon their status (e.g., age, salary) as a State, county, or municipal employee. 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 provides these individuals eligibility for other State benefits, such as civil service preferences, property tax credits, nursing care at State veterans' nursing homes and burial at 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

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

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

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1336

STATE OF NEW JERSEY

DATED: NOVEMBER 9, 2000

The Senate State Government Committee reports favorably Assembly, No. 1336.

This bill expands the definition of veteran in the Teachers' Pension and Annuity Fund (TPAF), the Public Employees' Retirement System (PERS) and the Police and Firemen's Retirement System (PFRS) to include persons who served in the armed forces of the United States in peace-keeping operations in Somalia and the Republic of Bosnia and Herzegovina.

The bill defines as a veteran any person who served in:

(1) 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, 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; or

(2) 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 was deployed in that nation or in another area in the region, or was on board a United States naval vessel operating in the Adriatic Sea, or operated in airspace above the Republic of Bosnia and Herzegovina.

Any person receiving an actual service-incurred injury or disability will be classed as a veteran whether or not that person completed the 14 days service requirement.

The definition of veteran in other sections of New Jersey law concerning civil service and property tax credits has already been changed to include these individuals.

Assembly, No. 1336 is the same as Senate, No. 1149.

ASSEMBLY, No. 1336

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 NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

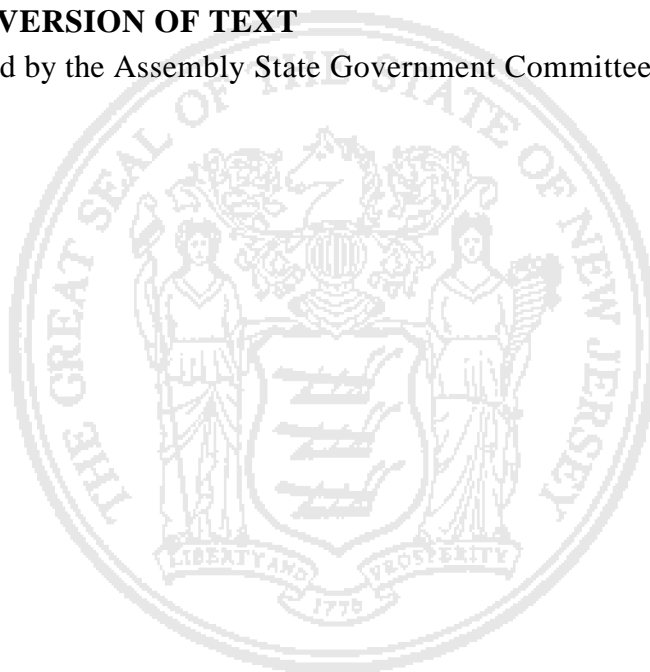
Assemblymen LeFevre, Felice, Senators Cafiero, Bucco, Allen and Turner

SYNOPSIS

Extends TPAF, PERS and PFRS veteran's status to certain participants in peace-keeping operations in Somalia and Republic of Bosnia and Herzegovina.

CURRENT VERSION OF TEXT

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



(Sponsorship Updated As Of: 5/4/2001)

A1336 AUGUSTINE, ASSELTA

2

1 AN ACT concerning the qualification of certain persons as veterans for
2 certain purposes and amending N.J.S.18A:66-2, P.L.1954, c.84 and
3 P.L.1983, c.391.

4

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

7

8 1. N.J.S.18A:66-2 is amended to read as follows;
9 18A:66-2. As used in this article:

10 a. "Accumulated deductions" means the sum of all the amounts,
11 deducted from the compensation of a member or contributed by or in
12 behalf of the member, including interest credited to January 1, 1956,
13 standing to the credit of the member's individual account in the annuity
14 savings fund.

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

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

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

26 e. "Employer" means the State, the board of education or any
27 educational institution or agency of or within the State by which a
28 teacher is paid.

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

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

38 h. "Pension" means payments for life derived from appropriations
39 made by the State or employers to the Teachers' Pension and Annuity
40 Fund.

41 i. "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 article, computed on the basis of

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 such mortality tables recommended by the actuary as the board of
2 trustees adopts, with regular interest.

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

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

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

14 m. "Regular interest" shall mean interest as determined by the State
15 Treasurer, after consultation with the Directors of the Divisions of
16 Investment and Pensions, the board of trustees and the actuary. It
17 shall bear a reasonable relationship to the percentage rate of earnings
18 on investments based on the market value of assets but shall not
19 exceed the assumed percentage rate of increase applied to salaries plus
20 3%, provided however that the board of trustees shall not set the
21 average percentage rate of increase applied to salaries below 6%.

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

23 o. "School service" means any service as a "teacher" as defined in
24 this section.

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

1 shall determine whether any person is a teacher as defined in this
2 article.

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

11 r. "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 July
14 14, 1914, and November 11, 1918, or who served in any Army, Air
15 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 April
32 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, and May
37 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 December
3 31, 1946, who shall have served at least 90 days in such active service,
4 exclusive of any period of assignment (1) for a course of education or
5 training under the Army Specialized Training Program or the Navy
6 College Training Program, which course was a continuation of a
7 civilian course and was pursued to completion, or (2) as a cadet or
8 midshipman at one of the service academies, any part of which 90 days
9 was served between said dates; provided that any person receiving an
10 actual service-incurred injury or disability shall be classed as a veteran,
11 whether or not that person has completed the 90-day service as herein
12 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 90
20 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 subsection 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) Vietnam conflict, on or after December 31, 1960, and on or
29 prior to May 7, 1975, who shall have served at least 90 days in such
30 active service, exclusive of any period of assignment (1) for a course
31 of education or training under the Army Specialized Training Program
32 or the Navy College Training Program, which course was a
33 continuation of a civilian course and was pursued to completion, or (2)
34 as a cadet or midshipman at one of the service academies, any part of
35 which 90 days was served between said dates; and exclusive of any
36 service performed pursuant to the provisions of section 511(d) of Title
37 10, United States Code, pursuant to an enlistment in the Army
38 National Guard or as a reserve for service in the Army Reserve, Naval
39 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
40 Reserve; provided that any person receiving an actual service-incurred
41 injury or disability shall be classed as a veteran, whether or not that
42 person has completed the 90-day service as herein provided;

43 (13) Lebanon peacekeeping mission, on or after September 26,
44 1982, who has served in Lebanon or on board any ship actively
45 engaged in patrolling the territorial waters of that nation for a period,
46 continuous or in the aggregate, of at least 14 days commencing on or

1 before December 1, 1987 or the date of termination of that mission, as
2 proclaimed by the President of the United States or Congress,
3 whichever date of termination is the latest, in such active service;
4 provided, that any person receiving an actual service-incurred injury
5 or disability shall be classed as a veteran whether or not that person
6 has completed the 14 days' service as herein provided;

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

17 (15) Panama peacekeeping mission, on or after December 20, 1989
18 or the date of inception of that mission, as proclaimed by the President
19 of the United States or Congress, whichever date of inception is
20 earliest, who has served in Panama or on board any ship actively
21 engaged in patrolling the territorial waters of that nation for a period,
22 continuous or in the aggregate, of at least 14 days commencing on or
23 before January 31, 1990 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 (16) Operation "Desert Shield/Desert Storm" mission in the
30 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
31 the date of inception of that operation, as proclaimed by the President
32 of the United States or Congress, whichever date of inception is
33 earliest, who has served in the Arabian peninsula or on board any ship
34 actively engaged in patrolling the Persian Gulf for a period, continuous
35 or in the aggregate, of at least 14 days commencing on or before the
36 date of termination of that mission, as proclaimed by the President of
37 the United States [,] or Congress [or the Governor], whichever date
38 of termination is the latest, in such active service; provided, that any
39 person receiving an actual service-incurred injury or disability shall be
40 classed as a veteran whether or not that person has completed the 14
41 days' service as herein provided;

42 (17) Operation "Restore Hope" in Somalia, commencing on or
43 after December 5, 1992, or the date of inception of that operation as
44 proclaimed by the President of the United States or the Congress,
45 whichever date is earliest, and terminating on March 31, 1994, or the
46 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 (18) Operations "Joint Endeavor" and "Joint Guard" in the
9 Republic of Bosnia and Herzegovina, commencing on or after
10 November 20, 1995 or December 20, 1996, as the case may be, and
11 terminating on December 20, 1996 or on such date as the United
12 States Secretary of Defense may designate, as the case may be, who
13 served in direct support of one or both of the operations for at least 14
14 days, continuously or in the aggregate, and (1) was deployed in that
15 nation or in another area in the region, or (2) was on board a United
16 States naval vessel operating in the Adriatic Sea, or (3) operated in
17 airspace above the Republic of Bosnia and Herzegovina; provided that
18 any person receiving an actual service-incurred injury or disability shall
19 be classed as a veteran whether or not that person completed the 14-
20 day service requirement.

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

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

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

42 u. "Widow" means the woman to whom a member was married at
43 least five years before the date of his death and to whom he continued
44 to be married until the date of his death and who was receiving at least
45 one-half of her support from the member in the 12-month period
46 immediately preceding the member's death or the accident which was

1 the direct cause of the member's death. The dependency of such a
2 widow will be considered terminated by the marriage of the widow
3 subsequent to the member's death. In the event of the payment of an
4 accidental death benefit, the five-year qualification shall be waived.

5 v. "Parent" means the parent of a member who was receiving at
6 least one-half of the parent's support from the member in the 12-month
7 period immediately preceding the member's death or the accident
8 which was the direct cause of the member's death. The dependency of
9 such a parent will be considered terminated by marriage of the parent
10 subsequent to the death of the member.

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

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

14

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

17 6. As used in this act:

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

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

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

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

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

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

44 g. "Widower" means the man to whom a member was married at
45 least five years before the date of her death and to whom she
46 continued to be married until the date of her death and who was

1 receiving at least 1/2 of his 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 widower will be considered terminated by marriage of the
5 widower subsequent to the death of the member. In the event of the
6 payment of an accidental death benefit, the five-year qualification shall
7 be waived.

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

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

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

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

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

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

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

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

43 p. "Veteran" means any honorably discharged officer, soldier,
44 sailor, airman, marine or nurse who served in any Army, Air Force or
45 Navy of the Allies of the United States in World War I, between July
46 14, 1914, and November 11, 1918, or who served in any Army, Air

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

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

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

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

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

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

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

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

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

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

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

45 (11) Korean conflict on or after June 23, 1950, and on or prior to
46 January 31, 1955, who shall have served at least 90 days in such active

1 service, exclusive of any period of assignment (1) for a course of
2 education or training under the Army Specialized Training Program or
3 the Navy College Training Program which course was a continuation
4 of a civilian course and was pursued to completion, or (2) as a cadet
5 or midshipman at one of the service academies, any part of which 90
6 days was served between said dates; provided, 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 as herein provided; and provided further, that any member
10 classed as a veteran pursuant to this paragraph prior to August 1,
11 1966, shall continue to be classed as a veteran whether or not that
12 person completed the 90-day service between said dates as herein
13 provided;

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

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

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

1 or disability shall be classed as a veteran whether or not that person
2 has completed the 14 days' service as herein provided;

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

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

28 (17) Operation "Restore Hope" in Somalia, commencing on or
29 after December 5, 1992, or the date of inception of that operation as
30 proclaimed by the President of the United States or the Congress,
31 whichever date is earliest, and terminating on March 31, 1994, or the
32 date of termination as proclaimed by the President of the United States
33 or the Congress, whichever date is latest, who served for at least 14
34 days, continuously or in the aggregate, in Somalia or on board any
35 ship actively engaged in patrolling the territorial waters of that nation
36 during the specified period; 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 14-day service as herein
39 provided;

40 (18) Operations "Joint Endeavor" and "Joint Guard" in the
41 Republic of Bosnia and Herzegovina, commencing on or after
42 November 20, 1995 or December 20, 1996, as the case may be, and
43 terminating on December 20, 1996 or on such date as the United
44 States Secretary of Defense may designate, as the case may be, who
45 served in direct support of one or both of the operations for at least 14
46 days, continuously or in the aggregate, and (1) was deployed in that

1 nation or in another area in the region, or (2) was on board a United
2 States naval vessel operating in the Adriatic Sea, or (3) operated in
3 airspace above the Republic of Bosnia and Herzegovina; provided that
4 any person receiving an actual service-incurred injury or disability shall
5 be classed as a veteran whether or not that person completed the 14-
6 day service requirement.

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

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

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

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

31

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

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

1 dishonorable, in any of the following wars, uprisings, insurrections,
2 expeditions, or emergencies, and who has presented to the retirement
3 system evidence of such record of service in form and content
4 satisfactory to said retirement 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 April
9 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 May
14 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 December
26 31, 1946, who shall have served at least 90 days in such active service,
27 exclusive of any period of assignment (1) for a course of education or
28 training under the Army Specialized Training Program or the Navy
29 College Training program which course was a continuation of a
30 civilian course and was pursued to completion, or (2) as a cadet or
31 midshipman at one of the service academies any part of which 90 days
32 was served between said dates; 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 90-day service as herein
35 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 90
43 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 subparagraph prior to August 1,
2 1966, shall continue to be classed as a veteran whether or not the
3 member completed the 90-day service between said dates as herein
4 provided;

5 (12) Vietnam conflict on or after December 31, 1960, and on or
6 prior to May 7, 1975, 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; and exclusive of any
13 service performed pursuant to the provisions of section 511 (d) of
14 Title 10, United States Code, pursuant to an enlistment in the Army
15 National Guard or as a reserve for service in the Army Reserve, Naval
16 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
17 Reserve; 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 90 days' service as herein provided;

20 (13) Lebanon peacekeeping mission, on or after September 26,
21 1982, who has served in Lebanon or on board any ship actively
22 engaged in patrolling the territorial waters of that nation for a period,
23 continuous or in the aggregate, of at least 14 days commencing on or
24 before December 1, 1987 or the date of termination of that mission, as
25 proclaimed by the President of the United States or Congress,
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 (14) Grenada peacekeeping mission, on or after October 23, 1983,
31 who has served in Grenada or on board any ship actively engaged in
32 patrolling the territorial waters of that nation for a period, continuous
33 or in the aggregate, of at least 14 days commencing on or before
34 November 21, 1983 or the date of termination of that mission, as
35 proclaimed by the President of the United States or Congress,
36 whichever date of termination is the latest, in such active service;
37 provided, that any person receiving an actual service-incurred injury
38 or disability shall be classed as a veteran whether or not that person
39 has completed the 14 days' service as herein provided;

40 (15) Panama peacekeeping mission, on or after December 20, 1989
41 or the date of inception of that mission, as proclaimed by the President
42 of the United States or Congress, whichever date of inception is
43 earliest, who has served in Panama or on board any ship actively
44 engaged in patrolling the territorial waters of that nation for a period,
45 continuous or in the aggregate, of at least 14 days commencing on or
46 before January 31, 1990 or the date of termination of that mission, as

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

6 (16) Operation "Desert Shield/Desert Storm" mission in the
7 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
8 the date of inception of that operation, as proclaimed by the President
9 of the United States or Congress, whichever date of inception is
10 earliest, who has served in the Arabian peninsula or on board any ship
11 actively engaged in patrolling the Persian Gulf for a period, continuous
12 or in the aggregate, of at least 14 days commencing on or before the
13 date of termination of that mission, as proclaimed by the President of
14 the United States [.] or Congress [or the Governor], whichever date
15 of 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 (17) Operation "Restore Hope" in Somalia, commencing on or
20 after December 5, 1992, or the date of inception of that operation as
21 proclaimed by the President of the United States or the Congress,
22 whichever date is earliest, and terminating on March 31, 1994, or the
23 date of termination as proclaimed by the President of the United States
24 or the Congress, whichever date is latest, who served for at least 14
25 days, continuously or in the aggregate, in Somalia or on board any
26 ship actively engaged in patrolling the territorial waters of that nation
27 during the specified period; provided that any person receiving an
28 actual service-incurred injury or disability shall be classed as a veteran
29 whether or not that person has completed the 14-day service as herein
30 provided;

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

44 "Veteran" also means any honorably discharged member of the
45 American Merchant Marine who served during World War II and is
46 declared by the United States Department of Defense to be eligible for

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17

1 federal veterans' benefits.

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

3

4 4. This act shall take effect immediately.

STATEMENT TO
ASSEMBLY, No. 1336

with Senate Floor Amendments
(Proposed By Senator CAFIERO)

ADOPTED: MAY 3, 2001

These amendments require the State to be liable for any increased cost to local government employers participating in the Public Employees' Retirement System or the Police and Firemen's Retirement System as a result of including in the definition of veteran those persons who served in Operation "Restore Hope" in Somalia or Operations "Joint Endeavor" and "Joint Guard" in the Republic of Bosnia and Herzegovina. The amendments make the bill identical to Senate, No. 1149 (1R).

[First Reprint]

ASSEMBLY, No. 1336

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 NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

Co-Sponsored by:

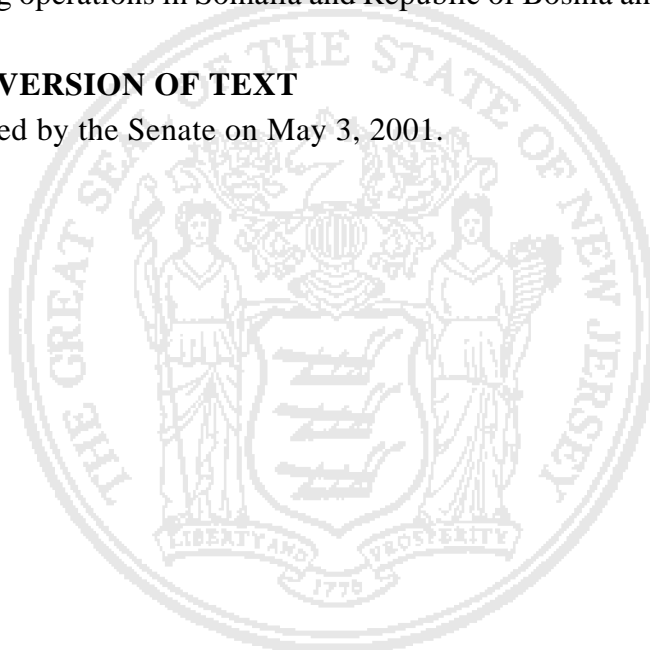
Assemblymen LeFevre, Felice, Senators Cafiero, Bucco, Allen and Turner

SYNOPSIS

Extends TPAF, PERS and PFRS veteran's status to certain participants in peace-keeping operations in Somalia and Republic of Bosnia and Herzegovina.

CURRENT VERSION OF TEXT

As amended by the Senate on May 3, 2001.



(Sponsorship Updated As Of: 5/4/2001)

1 AN ACT concerning the qualification of certain persons as veterans for
2 certain purposes ¹[and],¹ amending N.J.S.18A:66-2, ¹and
3 amending and supplementing¹ P.L.1954, c.84 and P.L.1983, c.391.
4

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

8 1. N.J.S.18A:66-2 is amended to read as follows;
9 18A:66-2. As used in this article:

10 a. "Accumulated deductions" means the sum of all the amounts,
11 deducted from the compensation of a member or contributed by or in
12 behalf of the member, including interest credited to January 1, 1956,
13 standing to the credit of the member's individual account in the annuity
14 savings fund.

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

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

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

26 e. "Employer" means the State, the board of education or any
27 educational institution or agency of or within the State by which a
28 teacher is paid.

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

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

38 h. "Pension" means payments for life derived from appropriations
39 made by the State or employers to the Teachers' Pension and Annuity
40 Fund.

41 i. "Annuity reserve" means the present value of all payments to be

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 floor amendments adopted May 3, 2001.

1 made on account of any annuity or benefit in lieu of an annuity,
2 granted under the provisions of this article, computed on the basis of
3 such mortality tables recommended by the actuary as the board of
4 trustees adopts, with regular interest.

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

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

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

16 m. "Regular interest" shall mean interest as determined by the State
17 Treasurer, after consultation with the Directors of the Divisions of
18 Investment and Pensions, the board of trustees and the actuary. It
19 shall bear a reasonable relationship to the percentage rate of earnings
20 on investments based on the market value of assets but shall not
21 exceed the assumed percentage rate of increase applied to salaries plus
22 3%, provided however that the board of trustees shall not set the
23 average percentage rate of increase applied to salaries below 6%.

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

25 o. "School service" means any service as a "teacher" as defined in
26 this section.

27 p. "Teacher" means any regular teacher, special teacher, helping
28 teacher, teacher clerk, principal, vice-principal, supervisor, supervising
29 principal, director, superintendent, city superintendent, assistant city
30 superintendent, county superintendent, State Commissioner or
31 Assistant Commissioner of Education, members of the State
32 Department of Education who are certificated, unclassified
33 professional staff and other members of the teaching or professional
34 staff of any class, public school, high school, normal school, model
35 school, training school, vocational school, truant reformatory school,
36 or parental school, and of any and all classes or schools within the
37 State conducted under the order and superintendence, and wholly or
38 partly at the expense of the State Board of Education, of a duly
39 elected or appointed board of education, board of school directors, or
40 board of trustees of the State or of any school district or normal
41 school district thereof, and any persons under contract or engagement
42 to perform one or more of these functions. It shall also mean any
43 person who serves, while on an approved leave of absence from
44 regular duties as a teacher, as an officer of a local, county or State
45 labor organization which represents, or is affiliated with an
46 organization which represents, teachers as defined in this subsection.

1 No person shall be deemed a teacher within the meaning of this article
2 who is a substitute teacher. In all cases of doubt the board of trustees
3 shall determine whether any person is a teacher as defined in this
4 article.

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

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

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

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

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

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

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

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

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

46 (8) The Mexican border patrol, having actually participated in

1 engagements against Mexicans between April 12, 1911, and June 16,
2 1919;

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

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

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

30 (12) Vietnam conflict, on or after December 31, 1960, and on or
31 prior to May 7, 1975, who shall have served at least 90 days in such
32 active service, exclusive of any period of assignment (1) for a course
33 of education or training under the Army Specialized Training Program
34 or the Navy College Training Program, which course was a
35 continuation of a civilian course and was pursued to completion, or (2)
36 as a cadet or midshipman at one of the service academies, any part of
37 which 90 days was served between said dates; and exclusive of any
38 service performed pursuant to the provisions of section 511(d) of Title
39 10, United States Code, pursuant to an enlistment in the Army
40 National Guard or as a reserve for service in the Army Reserve, Naval
41 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
42 Reserve; 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 90-day service as herein provided;

45 (13) Lebanon peacekeeping mission, on or after September 26,
46 1982, who has served in Lebanon 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 December 1, 1987 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 (14) 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 (15) Panama peacekeeping mission, on or after December 20, 1989
20 or the date of inception of that mission, as proclaimed by the President
21 of the United States or Congress, whichever date of inception is
22 earliest, who has served in Panama or on board any ship actively
23 engaged in patrolling the territorial waters of that nation for a period,
24 continuous or in the aggregate, of at least 14 days commencing on or
25 before January 31, 1990 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 (16) Operation "Desert Shield/Desert Storm" mission in the
32 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
33 the date of inception of that operation, as proclaimed by the President
34 of the United States or Congress, whichever date of inception is
35 earliest, who has served in the Arabian peninsula or on board any ship
36 actively engaged in patrolling the Persian Gulf for a period, continuous
37 or in the aggregate, of at least 14 days commencing on or before the
38 date of termination of that mission, as proclaimed by the President of
39 the United States [.,] or Congress [or the Governor], whichever date
40 of 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 (17) Operation "Restore Hope" in Somalia, commencing on or
45 after December 5, 1992, or the date of inception of that operation as
46 proclaimed by the President of the United States or the Congress,

1 whichever date is earliest, and terminating on March 31, 1994, or the
2 date of termination as proclaimed by the President of the United States
3 or the Congress, whichever date is latest, who served for at least 14
4 days, continuously or in the aggregate, in Somalia or on board any
5 ship actively engaged in patrolling the territorial waters of that nation
6 during the specified period; provided that any person receiving an
7 actual service-incurred injury or disability shall be classed as a veteran
8 whether or not that person has completed the 14-day service as herein
9 provided;

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

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

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

34 t. "Widower" means the man to whom a member was married at
35 least five years before the date of her death and to whom she
36 continued to be married until the date of her death and who was
37 receiving at least one-half of his support from the member in the
38 12-month period immediately preceding the member's death or the
39 accident which was the direct cause of the member's death. The
40 dependency of such a widower will be considered terminated by
41 marriage of the widower subsequent to the death of the member. In
42 the event of the payment of an accidental death benefit, the five-year
43 qualification shall be waived.

44 u. "Widow" means the woman to whom a member was married at
45 least five years before the date of his death and to whom he continued
46 to be married until the date of his death and who was receiving at least

1 one-half of her support from the member in the 12-month period
2 immediately preceding the member's death or the accident which was
3 the direct cause of the member's death. The dependency of such a
4 widow will be considered terminated by the marriage of the widow
5 subsequent to the member's death. In the event of the payment of an
6 accidental death benefit, the five-year qualification shall be waived.

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

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

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

16

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

19 6. As used in this act:

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

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

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

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

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

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

46 g. "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 1/2 of his support from the member in the 12-month
4 period immediately preceding the member's death or the accident
5 which was the direct cause of the member's death. The dependency of
6 such a widower will be considered terminated by marriage of the
7 widower subsequent to the death of the member. In the event of the
8 payment of an accidental death benefit, the five-year qualification shall
9 be waived.

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

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

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

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

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

28 m. "Public Employees' Retirement System of New Jersey,"
29 hereinafter referred to as the "retirement system" or "system," is the
30 corporate name of the arrangement for the payment of retirement
31 allowances and other benefits under the provisions of this act including
32 the several funds placed under said system. By that name all of its
33 business shall be transacted, its funds invested, warrants for money
34 drawn, and payments made and all of its cash and securities and other
35 property held.

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

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

45 p. "Veteran" means any honorably discharged officer, soldier,
46 sailor, airman, marine or nurse who served in any Army, Air Force or

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

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

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

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

24 (4) The Peking relief expedition between June 20, 1900, and May
25 27, 1902;

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

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

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

32 (8) The Mexican border patrol, having actually participated in
33 engagements against Mexicans between April 12, 1911, and June 16,
34 1919;

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

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

1 (11) Korean conflict on or after June 23, 1950, and on or prior to
2 January 31, 1955, who shall have served at least 90 days in such active
3 service, exclusive of any period of assignment (1) for a course of
4 education or training under the Army Specialized Training Program or
5 the Navy College Training Program which course was a continuation
6 of a civilian course and was pursued to completion, or (2) as a cadet
7 or midshipman at one of the service academies, any part of which 90
8 days was served between said dates; provided, 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 as herein provided; and provided further, that any member
12 classed as a veteran pursuant to this paragraph prior to August 1,
13 1966, shall continue to be classed as a veteran whether or not that
14 person completed the 90-day service between said dates as herein
15 provided;

16 (12) 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 Title
25 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) Lebanon peacekeeping mission, on or after September 26,
32 1982, who has served in Lebanon or on board any ship actively
33 engaged in patrolling the territorial waters of that nation for a period,
34 continuous or in the aggregate, of at least 14 days commencing on or
35 before 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 (14) Grenada peacekeeping mission, on or after October 23, 1983,
42 who has served in Grenada or on board any ship actively engaged in
43 patrolling the territorial waters of that nation for a period, continuous
44 or in the aggregate, of at least 14 days commencing on or before
45 November 21, 1983 or the date of termination of that mission, as
46 proclaimed by the President of the United States or Congress,

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

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

17 (16) Operation "Desert Shield/Desert Storm" mission in the
18 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
19 the date of inception of that operation, as proclaimed by the President
20 of the United States, Congress or the Governor, 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[,] or 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 (17) Operation "Restore Hope" in Somalia, commencing on or
31 after December 5, 1992, or the date of inception of that operation as
32 proclaimed by the President of the United States or the Congress,
33 whichever date is earliest, and terminating on March 31, 1994, or the
34 date of termination as proclaimed by the President of the United States
35 or the Congress, whichever date is latest, who served for at least 14
36 days, continuously or in the aggregate, in Somalia or on board any
37 ship actively engaged in patrolling the territorial waters of that nation
38 during the specified period; provided that any person receiving an
39 actual service-incurred injury or disability shall be classed as a veteran
40 whether or not that person has completed the 14-day service as herein
41 provided;

42 (18) Operations "Joint Endeavor" and "Joint Guard" in the
43 Republic of Bosnia and Herzegovina, commencing on or after
44 November 20, 1995 or December 20, 1996, as the case may be, and
45 terminating on December 20, 1996 or on such date as the United
46 States Secretary of Defense may designate, as the case may be, who

1 served in direct support of one or both of the operations for at least 14
2 days, continuously or in the aggregate, and (1) was deployed in that
3 nation or in another area in the region, or (2) was on board a United
4 States naval vessel operating in the Adriatic Sea, or (3) operated in
5 airspace above the Republic of Bosnia and Herzegovina; provided that
6 any person receiving an actual service-incurred injury or disability shall
7 be classed as a veteran whether or not that person completed the 14-
8 day service requirement.

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

13 q. "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 1/2 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 r. "Compensation" means the base or contractual salary, for
23 services as an employee, which is in accordance with established salary
24 policies of the member's employer for all employees in the same
25 position but shall not include individual salary adjustments which are
26 granted primarily in anticipation of the member's retirement or
27 additional remuneration for performing temporary or extracurricular
28 duties beyond the regular workday or the regular work year. In cases
29 where salary includes maintenance, the retirement system shall fix the
30 value of that part of the salary not paid in money which shall be
31 considered under this act.

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

33

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

39

40 ¹[3.] 4.¹ Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is
41 amended to read as follows:

42 1. For purposes of this act "veteran" means any honorably
43 discharged officer, soldier, sailor, airman, marine or nurse who served
44 in any Army, Air Force or Navy of the Allies of the United States in
45 World War I, between July 14, 1914, and November 11, 1918, or who
46 served in any Army, Air Force or Navy of the Allies of the United

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

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

16 (2) The Spanish-American War between April 20, 1898, and April
17 11, 1899;

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

21 (4) The Peking relief expedition between June 20, 1900, and May
22 27, 1902;

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

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

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

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

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

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

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

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

13 (12) Vietnam conflict on or after December 31, 1960, and on or
14 prior to May 7, 1975, who shall have served at least 90 days in such
15 active service, exclusive of any period of assignment (1) for a course
16 of education or training under the Army Specialized Training Program
17 or the Navy College Training Program which course was a
18 continuation of a civilian course and was pursued to completion, or (2)
19 as a cadet or midshipman at one of the service academies, any part of
20 which 90 days was served between said dates; and exclusive of any
21 service performed pursuant to the provisions of section 511 (d) of
22 Title 10, United States Code, pursuant to an enlistment in the Army
23 National Guard or as a reserve for service in the Army Reserve, Naval
24 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
25 Reserve; 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 90 days' service as herein provided;

28 (13) Lebanon peacekeeping mission, on or after September 26,
29 1982, who has served in Lebanon or on board any ship actively
30 engaged in patrolling the territorial waters of that nation for a period,
31 continuous or in the aggregate, of at least 14 days commencing on or
32 before December 1, 1987 or the date of termination of that mission, as
33 proclaimed by the President of the United States or Congress,
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 (14) Grenada peacekeeping mission, on or after October 23, 1983,
39 who has served in Grenada or on board any ship actively engaged in
40 patrolling the territorial waters of that nation for a period, continuous
41 or in the aggregate, of at least 14 days commencing on or before
42 November 21, 1983 or the date of termination of that mission, as
43 proclaimed by the President of the United States or Congress,
44 whichever date of termination is the latest, in such active service;
45 provided, that any person receiving an actual service-incurred injury
46 or disability shall be classed as a veteran whether or not that person

1 has completed the 14 days' service as herein provided;

2 (15) Panama peacekeeping mission, on or after December 20, 1989
3 or the date of inception of that mission, as proclaimed by the President
4 of the United States or Congress, whichever date of inception is
5 earliest, who has served in Panama 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 January 31, 1990 or the date of termination of that mission, as
9 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 (16) Operation "Desert Shield/Desert Storm" mission in the
15 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
16 the date of inception of that operation, as proclaimed by the President
17 of the United States or Congress, whichever date of inception is
18 earliest, who has served in the Arabian peninsula or on board any ship
19 actively engaged in patrolling the Persian Gulf for a period, continuous
20 or in the aggregate, of at least 14 days commencing on or before the
21 date of termination of that mission, as proclaimed by the President of
22 the United States[,] or Congress [or the Governor], whichever date
23 of 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 (17) Operation "Restore Hope" in Somalia, commencing on or
28 after December 5, 1992, or the date of inception of that operation as
29 proclaimed by the President of the United States or the Congress,
30 whichever date is earliest, and terminating on March 31, 1994, or the
31 date of termination as proclaimed by the President of the United States
32 or the Congress, whichever date is latest, who served for at least 14
33 days, continuously or in the aggregate, in Somalia or on board any
34 ship actively engaged in patrolling the territorial waters of that nation
35 during the specified period; 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-day service as herein
38 provided;

39 (18) Operations "Joint Endeavor" and "Joint Guard" in the
40 Republic of Bosnia and Herzegovina, commencing on or after
41 November 20, 1995 or December 20, 1996, as the case may be, and
42 terminating on December 20, 1996 or on such date as the United
43 States Secretary of Defense may designate, as the case may be, who
44 served in direct support of one or both of the operations for at least 14
45 days, continuously or in the aggregate, and (1) was deployed in that
46 nation or in another area in the region, or (2) was on board a United

1 States naval vessel operating in the Adriatic Sea, or (3) operated in
2 airspace above the Republic of Bosnia and Herzegovina; provided that
3 any person receiving an actual service-incurred injury or disability shall
4 be classed as a veteran whether or not that person completed the 14-
5 day service requirement.

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

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

11

12 ¹5. (New section) The State shall be liable for any increased cost
13 to local government employers participating in the Police and
14 Firemen's Retirement System, established pursuant to P.L.1944, c.255
15 (C.43:16A-1 et seq.), as a result of the provisions of this act, P.L. .,
16 c. (now pending before the Legislature as this bill).¹

17

18 ¹[4.] 6.¹ This act shall take effect immediately.

SENATE, No. 1149

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED MARCH 23, 2000

Sponsored by:

Senator JAMES S. CAFIERO

District 1 (Cape May, Atlantic and Cumberland)

Senator ANTHONY R. BUCCO

District 25 (Morris)

Co-Sponsored by:

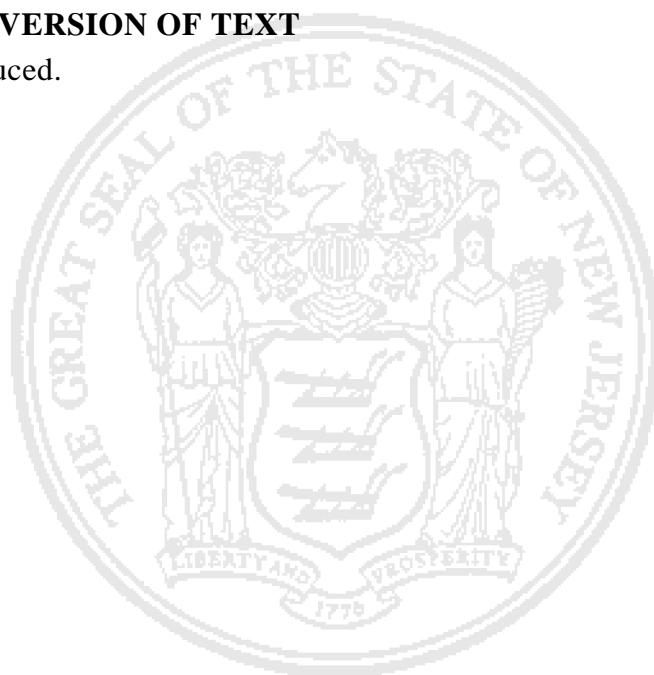
Senator Allen

SYNOPSIS

Extends TPAF, PERS and PFRS veteran's status to certain participants in peace-keeping operations in Somalia and Republic of Bosnia and Herzegovina.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the qualification of certain persons as veterans for
2 certain purposes and amending N.J.S.18A:66-2, P.L.1954, c.84 and
3 P.L.1983, c.391.

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

7
8 1. N.J.S.18A:66-2 is amended to read as follows;
9 18A:66-2. As used in this article:

10 a. "Accumulated deductions" means the sum of all the amounts,
11 deducted from the compensation of a member or contributed by or in
12 behalf of the member, including interest credited to January 1, 1956,
13 standing to the credit of the member's individual account in the annuity
14 savings fund.

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

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

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

26 e. "Employer" means the State, the board of education or any
27 educational institution or agency of or within the State by which a
28 teacher is paid.

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

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

38 h. "Pension" means payments for life derived from appropriations
39 made by the State or employers to the Teachers' Pension and Annuity
40 Fund.

41 i. "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 article, computed on the basis of

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 such mortality tables recommended by the actuary as the board of
2 trustees adopts, with regular interest.
- 3 j. "Pension reserve" means the present value of all payments to be
4 made on account of any pension or benefit in lieu of a pension granted
5 to a member from the Teachers' Pension and Annuity Fund, computed
6 on the basis of such mortality tables recommended by the actuary as
7 the board of trustees adopts, with regular interest.
- 8 k. "Present-entrant" means any member of the Teachers' Pension
9 and Annuity Fund who had established status as a "present-entrant
10 member" of said fund prior to January 1, 1956.
- 11 l. "Rate of contribution initially certified" means the rate of
12 contribution certified by the retirement system in accordance with
13 N.J.S.18A:66-29.
- 14 m. "Regular interest" shall mean interest as determined by the State
15 Treasurer, after consultation with the Directors of the Divisions of
16 Investment and Pensions, the board of trustees and the actuary. It
17 shall bear a reasonable relationship to the percentage rate of earnings
18 on investments based on the market value of assets but shall not
19 exceed the assumed percentage rate of increase applied to salaries plus
20 3%, provided however that the board of trustees shall not set the
21 average percentage rate of increase applied to salaries below 6%.
- 22 n. "Retirement allowance" means the pension plus the annuity.
- 23 o. "School service" means any service as a "teacher" as defined in
24 this section.
- 25 p. "Teacher" means any regular teacher, special teacher, helping
26 teacher, teacher clerk, principal, vice-principal, supervisor, supervising
27 principal, director, superintendent, city superintendent, assistant city
28 superintendent, county superintendent, State Commissioner or
29 Assistant Commissioner of Education, members of the State
30 Department of Education who are certificated, unclassified
31 professional staff and other members of the teaching or professional
32 staff of any class, public school, high school, normal school, model
33 school, training school, vocational school, truant reformatory school,
34 or parental school, and of any and all classes or schools within the
35 State conducted under the order and superintendence, and wholly or
36 partly at the expense of the State Board of Education, of a duly
37 elected or appointed board of education, board of school directors, or
38 board of trustees of the State or of any school district or normal
39 school district thereof, and any persons under contract or engagement
40 to perform one or more of these functions. It shall also mean any
41 person who serves, while on an approved leave of absence from
42 regular duties as a teacher, as an officer of a local, county or State
43 labor organization which represents, or is affiliated with an
44 organization which represents, teachers as defined in this subsection.
45 No person shall be deemed a teacher within the meaning of this article
46 who is a substitute teacher. In all cases of doubt the board of trustees

1 shall determine whether any person is a teacher as defined in this
2 article.

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

11 r. "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 July
14 14, 1914, and November 11, 1918, or who served in any Army, Air
15 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 April
32 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, and May
37 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 December
3 31, 1946, who shall have served at least 90 days in such active service,
4 exclusive of any period of assignment (1) for a course of education or
5 training under the Army Specialized Training Program or the Navy
6 College Training Program, which course was a continuation of a
7 civilian course and was pursued to completion, or (2) as a cadet or
8 midshipman at one of the service academies, any part of which 90 days
9 was served between said dates; provided that any person receiving an
10 actual service-incurred injury or disability shall be classed as a veteran,
11 whether or not that person has completed the 90-day service as herein
12 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 90
20 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 subsection 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) Vietnam conflict, on or after December 31, 1960, and on or
29 prior to May 7, 1975, who shall have served at least 90 days in such
30 active service, exclusive of any period of assignment (1) for a course
31 of education or training under the Army Specialized Training Program
32 or the Navy College Training Program, which course was a
33 continuation of a civilian course and was pursued to completion, or (2)
34 as a cadet or midshipman at one of the service academies, any part of
35 which 90 days was served between said dates; and exclusive of any
36 service performed pursuant to the provisions of section 511(d) of Title
37 10, United States Code, pursuant to an enlistment in the Army
38 National Guard or as a reserve for service in the Army Reserve, Naval
39 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
40 Reserve; provided that any person receiving an actual service-incurred
41 injury or disability shall be classed as a veteran, whether or not that
42 person has completed the 90-day service as herein provided;

43 (13) Lebanon peacekeeping mission, on or after September 26,
44 1982, who has served in Lebanon or on board any ship actively
45 engaged in patrolling the territorial waters of that nation for a period,
46 continuous or in the aggregate, of at least 14 days commencing on or

1 before December 1, 1987 or the date of termination of that mission, as
2 proclaimed by the President of the United States or Congress,
3 whichever date of termination is the latest, in such active service;
4 provided, that any person receiving an actual service-incurred injury
5 or disability shall be classed as a veteran whether or not that person
6 has completed the 14 days' service as herein provided;

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

17 (15) Panama peacekeeping mission, on or after December 20, 1989
18 or the date of inception of that mission, as proclaimed by the President
19 of the United States or Congress, whichever date of inception is
20 earliest, who has served in Panama or on board any ship actively
21 engaged in patrolling the territorial waters of that nation for a period,
22 continuous or in the aggregate, of at least 14 days commencing on or
23 before January 31, 1990 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 (16) Operation "Desert Shield/Desert Storm" mission in the
30 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
31 the date of inception of that operation, as proclaimed by the President
32 of the United States or Congress, whichever date of inception is
33 earliest, who has served in the Arabian peninsula or on board any ship
34 actively engaged in patrolling the Persian Gulf for a period, continuous
35 or in the aggregate, of at least 14 days commencing on or before the
36 date of termination of that mission, as proclaimed by the President of
37 the United States [,] or Congress [or the Governor], whichever date
38 of termination is the latest, in such active service; provided, that any
39 person receiving an actual service-incurred injury or disability shall be
40 classed as a veteran whether or not that person has completed the 14
41 days' service as herein provided;

42 (17) Operation "Restore Hope" in Somalia, commencing on or
43 after December 5, 1992, or the date of inception of that operation as
44 proclaimed by the President of the United States or the Congress,
45 whichever date is earliest, and terminating on March 31, 1994, or the
46 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 days' service as
7 herein provided;

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

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

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

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

42 u. "Widow" means the woman to whom a member was married at
43 least five years before the date of his death and to whom he continued
44 to be married until the date of his death and who was receiving at least
45 one-half of her support from the member in the 12-month period
46 immediately preceding the member's death or the accident which was

1 the direct cause of the member's death. The dependency of such a
2 widow will be considered terminated by the marriage of the widow
3 subsequent to the member's death. In the event of the payment of an
4 accidental death benefit, the five-year qualification shall be waived.

5 v. "Parent" means the parent of a member who was receiving at
6 least one-half of the parent's support from the member in the 12-month
7 period immediately preceding the member's death or the accident
8 which was the direct cause of the member's death. The dependency of
9 such a parent will be considered terminated by marriage of the parent
10 subsequent to the death of the member.

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

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

14

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

17 6. As used in this act:

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

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

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

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

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

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

44 g. "Widower" means the man to whom a member was married at
45 least five years before the date of her death and to whom she
46 continued to be married until the date of her death and who was

1 receiving at least 1/2 of his 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 widower will be considered terminated by marriage of the
5 widower subsequent to the death of the member. In the event of the
6 payment of an accidental death benefit, the five-year qualification shall
7 be waived.

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

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

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

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

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

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

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

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

43 p. "Veteran" means any honorably discharged officer, soldier,
44 sailor, airman, marine or nurse who served in any Army, Air Force or
45 Navy of the Allies of the United States in World War I, between July
46 14, 1914, and November 11, 1918, or who served in any Army, Air

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

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

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

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

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

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

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

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

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

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

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

45 (11) Korean conflict on or after June 23, 1950, and on or prior to
46 January 31, 1955, who shall have served at least 90 days in such active

1 service, exclusive of any period of assignment (1) for a course of
2 education or training under the Army Specialized Training Program or
3 the Navy College Training Program which course was a continuation
4 of a civilian course and was pursued to completion, or (2) as a cadet
5 or midshipman at one of the service academies, any part of which 90
6 days was served between said dates; provided, 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 as herein provided; and provided further, that any member
10 classed as a veteran pursuant to this paragraph prior to August 1,
11 1966, shall continue to be classed as a veteran whether or not that
12 person completed the 90-day service between said dates as herein
13 provided;

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

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

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

1 or disability shall be classed as a veteran whether or not that person
2 has completed the 14 days' service as herein provided;

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

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

28 (17) Operation "Restore Hope" in Somalia, commencing on or
29 after December 5, 1992, or the date of inception of that operation as
30 proclaimed by the President of the United States or the Congress,
31 whichever date is earliest, and terminating on March 31, 1994, or the
32 date of termination as proclaimed by the President of the United States
33 or the Congress, whichever date is latest, who served for at least 14
34 days, continuously or in the aggregate, in Somalia or on board any
35 ship actively engaged in patrolling the territorial waters of that nation
36 during the specified period; 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 14 days' service as
39 herein provided;

40 (18) Operations "Joint Endeavor" and "Joint Guard" in the
41 Republic of Bosnia and Herzegovina, commencing on or after
42 November 20, 1995 or December 20, 1996, as the case may be, and
43 terminating on December 20, 1996 or on such date as the United
44 States Secretary of Defense may designate, as the case may be, who
45 served in direct support of one or both of the operations for at least 14
46 days, continuously or in the aggregate, and (1) was deployed in that

1 nation or in another area in the region, or (2) was on board a United
2 States naval vessel operating in the Adriatic Sea, or (3) operated in
3 airspace above the Republic of Bosnia and Herzegovina; provided that
4 any person receiving an actual service-incurred injury or disability shall
5 be classed as a veteran whether or not that person completed the 14
6 days' service requirement.

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

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

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

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

31

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

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

1 dishonorable, in any of the following wars, uprisings, insurrections,
2 expeditions, or emergencies, and who has presented to the retirement
3 system evidence of such record of service in form and content
4 satisfactory to said retirement 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 April
9 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 May
14 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 December
26 31, 1946, who shall have served at least 90 days in such active service,
27 exclusive of any period of assignment (1) for a course of education or
28 training under the Army Specialized Training Program or the Navy
29 College Training program which course was a continuation of a
30 civilian course and was pursued to completion, or (2) as a cadet or
31 midshipman at one of the service academies any part of which 90 days
32 was served between said dates; 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 90-day service as herein
35 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 90
43 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 subparagraph prior to August 1,
2 1966, shall continue to be classed as a veteran whether or not the
3 member completed the 90-day service between said dates as herein
4 provided;

5 (12) Vietnam conflict on or after December 31, 1960, and on or
6 prior to May 7, 1975, 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; and exclusive of any
13 service performed pursuant to the provisions of section 511 (d) of
14 Title 10, United States Code, pursuant to an enlistment in the Army
15 National Guard or as a reserve for service in the Army Reserve, Naval
16 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
17 Reserve; 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 90 days' service as herein provided;

20 (13) Lebanon peacekeeping mission, on or after September 26,
21 1982, who has served in Lebanon or on board any ship actively
22 engaged in patrolling the territorial waters of that nation for a period,
23 continuous or in the aggregate, of at least 14 days commencing on or
24 before December 1, 1987 or the date of termination of that mission, as
25 proclaimed by the President of the United States or Congress,
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 (14) Grenada peacekeeping mission, on or after October 23, 1983,
31 who has served in Grenada or on board any ship actively engaged in
32 patrolling the territorial waters of that nation for a period, continuous
33 or in the aggregate, of at least 14 days commencing on or before
34 November 21, 1983 or the date of termination of that mission, as
35 proclaimed by the President of the United States or Congress,
36 whichever date of termination is the latest, in such active service;
37 provided, that any person receiving an actual service-incurred injury
38 or disability shall be classed as a veteran whether or not that person
39 has completed the 14 days' service as herein provided;

40 (15) Panama peacekeeping mission, on or after December 20, 1989
41 or the date of inception of that mission, as proclaimed by the President
42 of the United States or Congress, whichever date of inception is
43 earliest, who has served in Panama or on board any ship actively
44 engaged in patrolling the territorial waters of that nation for a period,
45 continuous or in the aggregate, of at least 14 days commencing on or
46 before January 31, 1990 or the date of termination of that mission, as

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

6 (16) Operation "Desert Shield/Desert Storm" mission in the
7 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
8 the date of inception of that operation, as proclaimed by the President
9 of the United States or Congress, whichever date of inception is
10 earliest, who has served in the Arabian peninsula or on board any ship
11 actively engaged in patrolling the Persian Gulf for a period, continuous
12 or in the aggregate, of at least 14 days commencing on or before the
13 date of termination of that mission, as proclaimed by the President of
14 the United States [.] or Congress [or the Governor], whichever date
15 of 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 (17) Operation "Restore Hope" in Somalia, commencing on or
20 after December 5, 1992, or the date of inception of that operation as
21 proclaimed by the President of the United States or the Congress,
22 whichever date is earliest, and terminating on March 31, 1994, or the
23 date of termination as proclaimed by the President of the United States
24 or the Congress, whichever date is latest, who served for at least 14
25 days, continuously or in the aggregate, in Somalia or on board any
26 ship actively engaged in patrolling the territorial waters of that nation
27 during the specified period; provided that any person receiving an
28 actual 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 (18) Operations "Joint Endeavor" and "Joint Guard" in the
32 Republic of Bosnia and Herzegovina, commencing on or after
33 November 20, 1995 or December 20, 1996, as the case may be, and
34 terminating on December 20, 1996 or on such date as the United
35 States Secretary of Defense may designate, as the case may be, who
36 served in direct support of one or both of the operations for at least 14
37 days, continuously or in the aggregate, and (1) was deployed in that
38 nation or in another area in the region, or (2) was on board a United
39 States naval vessel operating in the Adriatic Sea, or (3) operated in
40 airspace above the Republic of Bosnia and Herzegovina; provided that
41 any person receiving an actual service-incurred injury or disability shall
42 be classed as a veteran whether or not that person completed the 14
43 days' service requirement.

44 "Veteran" also means any honorably discharged member of the
45 American Merchant Marine who served during World War II and is
46 declared by the United States Department of Defense to be eligible for

1 federal veterans' benefits.
2 (cf: P.L.1995, c.406, s.4)

3

4 4. This act shall take effect immediately.

5

6

7

STATEMENT

8

9 This bill expands the definition of veteran in the Teachers' Pension
10 and Annuity Fund (TPAF), the Public Employees' Retirement System
11 (PERS) and the Police and Firemen's Retirement System (PFRS) to
12 persons who served in the armed forces of the United States in peace-
13 keeping operations in Somalia and the Republic of Bosnia and
14 Herzegovina.

15 The bill defines as a veteran any person who served in:

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

28 2) Operations "Joint Endeavor" and "Joint Guard" in the Republic
29 of Bosnia and Herzegovina, commencing on or after November 20,
30 1995 or December 20, 1996, as the case may be, and terminating on
31 December 20, 1996 or on such date as the United States Secretary of
32 Defense may designate, as the case may be, who served in direct
33 support of one or both of the operations for at least 14 days,
34 continuously or in the aggregate, and (1) was deployed in that nation
35 or in another area in the region, or (2) was on board a United States
36 naval vessel operating in the Adriatic Sea, or (3) operated in airspace
37 above the Republic of Bosnia and Herzegovina. Any person receiving
38 an actual service-incurred injury or disability shall be classed as a
39 veteran whether or not that person completed the 14 days' service
40 requirement.

LEGISLATIVE FISCAL ESTIMATE
SENATE, No. 1149
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: JUNE 5, 2000

SUMMARY

Synopsis: Extends TPAF, PERS, and PFRS veterans' status to certain participants in peace-keeping operations in Somalia and Republic of Bosnia and Herzegovina.

Type of Impact: Potential State General Fund expenditure increase, potential local expenditure increase.

Agencies Affected: Department of Treasury, Division of Pensions and Benefits (administrative functions).

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	indeterminate/minimal	indeterminate/minimal	indeterminate/minimal
State Revenue	n/a	n/a	n/a
Local Cost	indeterminate/minimal	indeterminate/minimal	indeterminate/minimal
Local Revenue	n/a	n/a	n/a

! Potential for increase in costs to State and local governments for enhanced pension benefits. Amount of increase would depend on the number of additional qualifying veterans, which cannot be determined at this time, but is believed to be minimal.

BILL DESCRIPTION

Senate Bill No. 1149 of 2000 expands the definition of veteran in the Teachers' Pension and Annuity Fund (TPAF), the Public Employees' Retirement System (PERS) and the Police and Firemen's Retirement System (PFRS) to include persons who served in the armed forces of the United States in peace-keeping operations in Somalia and the Republic of Bosnia and Herzegovina. Under the bill, a veteran is any person who served in a) 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, 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; or b) 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, in direct support of one or both of the operations for at least 14 days, continuously or in the aggregate, and was deployed in that nation or in another area in the region, or was on board a United States naval vessel operating in the Adriatic Sea, or operated in airspace above the Republic of Bosnia and Herzegovina.

A veteran who is a member of PERS and TPAF is eligible to receive enhanced retirement benefits and to purchase additional service credit for the military service that qualified the member as a veteran; a veteran who is a member of PFRS is eligible to purchase additional service credit for the military service that qualified the member as a veteran. A veteran bears the full cost of purchasing such service credit for PFRS.

The bill also changes a provision regarding the termination date of the Operation Desert Shield/ Desert Storm mission in order to be consistent with other statutes.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services (OLS) cannot estimate additional costs resulting from this proposed legislation because information regarding the number and status of individuals who might qualify for these additional benefits is not available. However, because these conflicts occurred relatively recently, and the number of military personnel involved was not large, it is believed that the overall cost to the State and local governments would not be significant.

The cost for each qualifying person would vary, depending upon their status (e.g., age, salary) as a State, county, or municipal employee. 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 provides these individuals eligibility for other State benefits, such as civil service preferences, property tax credits, nursing care at State veterans' nursing homes and burial at 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

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

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

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1149

STATE OF NEW JERSEY

DATED: NOVEMBER 9, 2000

The Senate State Government Committee reports favorably Senate, No. 1149.

This bill expands the definition of veteran in the Teachers' Pension and Annuity Fund (TPAF), the Public Employees' Retirement System (PERS) and the Police and Firemen's Retirement System (PFRS) to include persons who served in the armed forces of the United States in peace-keeping operations in Somalia and the Republic of Bosnia and Herzegovina.

The bill defines as a veteran any person who served in:

(1) 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, 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; or

(2) 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 was deployed in that nation or in another area in the region, or was on board a United States naval vessel operating in the Adriatic Sea, or operated in airspace above the Republic of Bosnia and Herzegovina.

Any person receiving an actual service-incurred injury or disability will be classed as a veteran whether or not that person completed the 14 days service requirement.

The definition of veteran in other sections of New Jersey law concerning civil service and property tax credits has already been changed to include these individuals.

Senate, No. 1149 is the same as Assembly, No. 1336.

STATEMENT TO
SENATE, No. 1149

with Senate Floor Amendments
(Proposed By Senator CAFIERO)

ADOPTED: DECEMBER 4, 2000

STATEMENT

These amendments require the State to be liable for any increased cost to local government employers participating in the Public Employees' Retirement System or the Police and Firemen's Retirement System as a result of including in the definition of veteran those persons who served in Operation "Restore Hope" in Somalia or Operations "Joint Endeavor" and "Joint Guard" in the Republic of Bosnia and Herzegovina.

[First Reprint]

SENATE, No. 1149

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED MARCH 23, 2000

Sponsored by:

Senator JAMES S. CAFIERO

District 1 (Cape May, Atlantic and Cumberland)

Senator ANTHONY R. BUCCO

District 25 (Morris)

Co-Sponsored by:

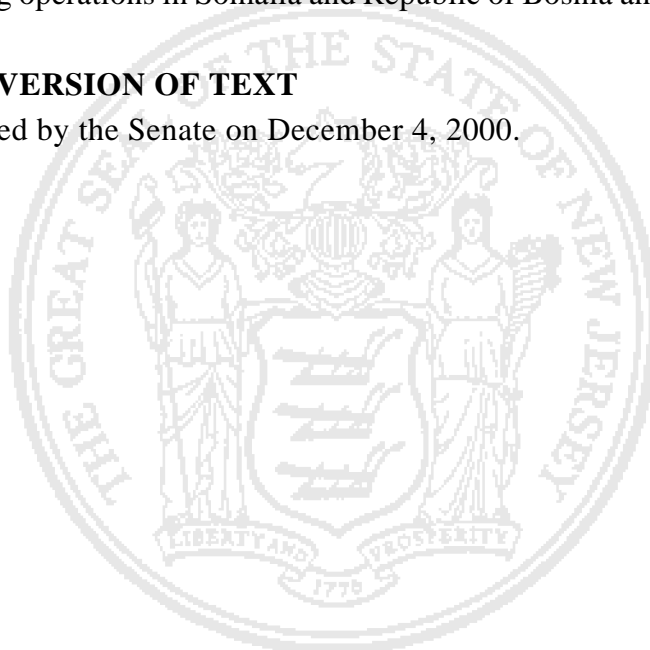
Senators Allen and Turner

SYNOPSIS

Extends TPAF, PERS and PFRS veteran's status to certain participants in peace-keeping operations in Somalia and Republic of Bosnia and Herzegovina.

CURRENT VERSION OF TEXT

As amended by the Senate on December 4, 2000.



(Sponsorship Updated As Of: 5/4/2001)

1 AN ACT concerning the qualification of certain persons as veterans
2 for certain purposes ¹[and],¹ amending N.J.S.18A:66-2, ¹and
3 amending and supplementing¹ P.L.1954, c.84 and P.L.1983, c.391.
4

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

8 1. N.J.S.18A:66-2 is amended to read as follows;
9 18A:66-2. As used in this article:

10 a. "Accumulated deductions" means the sum of all the amounts,
11 deducted from the compensation of a member or contributed by or in
12 behalf of the member, including interest credited to January 1, 1956,
13 standing to the credit of the member's individual account in the annuity
14 savings fund.

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

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

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

26 e. "Employer" means the State, the board of education or any
27 educational institution or agency of or within the State by which a
28 teacher is paid.

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

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

38 h. "Pension" means payments for life derived from appropriations
39 made by the State or employers to the Teachers' Pension and Annuity
40 Fund.

41 i. "Annuity reserve" means the present value of all payments to be

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 floor amendments adopted December 4, 2000.

1 made on account of any annuity or benefit in lieu of an annuity,
2 granted under the provisions of this article, computed on the basis of
3 such mortality tables recommended by the actuary as the board of
4 trustees adopts, with regular interest.

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

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

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

16 m. "Regular interest" shall mean interest as determined by the State
17 Treasurer, after consultation with the Directors of the Divisions of
18 Investment and Pensions, the board of trustees and the actuary. It
19 shall bear a reasonable relationship to the percentage rate of earnings
20 on investments based on the market value of assets but shall not
21 exceed the assumed percentage rate of increase applied to salaries plus
22 3%, provided however that the board of trustees shall not set the
23 average percentage rate of increase applied to salaries below 6%.

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

25 o. "School service" means any service as a "teacher" as defined in
26 this section.

27 p. "Teacher" means any regular teacher, special teacher, helping
28 teacher, teacher clerk, principal, vice-principal, supervisor, supervising
29 principal, director, superintendent, city superintendent, assistant city
30 superintendent, county superintendent, State Commissioner or
31 Assistant Commissioner of Education, members of the State
32 Department of Education who are certificated, unclassified
33 professional staff and other members of the teaching or professional
34 staff of any class, public school, high school, normal school, model
35 school, training school, vocational school, truant reformatory school,
36 or parental school, and of any and all classes or schools within the
37 State conducted under the order and superintendence, and wholly or
38 partly at the expense of the State Board of Education, of a duly
39 elected or appointed board of education, board of school directors, or
40 board of trustees of the State or of any school district or normal
41 school district thereof, and any persons under contract or engagement
42 to perform one or more of these functions. It shall also mean any
43 person who serves, while on an approved leave of absence from
44 regular duties as a teacher, as an officer of a local, county or State
45 labor

1 organization which represents, or is affiliated with an organization
2 which represents, teachers as defined in this subsection. No person
3 shall be deemed a teacher within the meaning of this article who is a
4 substitute teacher. In all cases of doubt the board of trustees shall
5 determine whether any person is a teacher as defined in this article.

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

14 r. "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 July
17 14, 1914, and November 11, 1918, or who served in any Army, Air
18 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 April
35 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 May
40 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 December
6 31, 1946, who shall have served at least 90 days in such active service,
7 exclusive of any period of assignment (1) for a course of education or
8 training under the Army Specialized Training Program or the Navy
9 College Training Program, which course was a continuation of a
10 civilian course and was pursued to completion, or (2) as a cadet or
11 midshipman at one of the service academies, any part of which 90 days
12 was served between said dates; provided that any person receiving an
13 actual service-incurred injury or disability shall be classed as a veteran,
14 whether or not that person has completed the 90-day service as herein
15 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 subsection 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) Vietnam conflict, on or after December 31, 1960, and on or
32 prior to May 7, 1975, who shall have served at least 90 days in such
33 active service, exclusive of any period of assignment (1) for a course
34 of education or training under the Army Specialized Training Program
35 or the Navy College Training Program, which course was a
36 continuation of a civilian course and was pursued to completion, or (2)
37 as a cadet or midshipman at one of the service academies, any part of
38 which 90 days was served between said dates; and exclusive of any
39 service performed pursuant to the provisions of section 511(d) of Title
40 10, United States Code, pursuant to an enlistment in the Army
41 National Guard or as a reserve for service in the Army Reserve, Naval
42 Reserve, Air Force Reserve, Marine Corps Reserve, or Coast Guard
43 Reserve; provided that any person receiving an actual service-incurred
44 injury or disability shall be classed as a veteran, whether or not that
45 person has completed the 90-day service as herein provided;

46 (13) Lebanon peacekeeping mission, on or after September 26,

1 1982, who has served in Lebanon or on board any ship actively
2 engaged in patrolling the territorial waters of that nation for a period,
3 continuous or in the aggregate, of at least 14 days commencing on or
4 before December 1, 1987 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 (14) Grenada peacekeeping mission, on or after October 23, 1983,
11 who has served in Grenada 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 November 21, 1983 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 (15) Panama peacekeeping mission, on or after December 20, 1989
21 or the date of inception of that mission, as proclaimed by the President
22 of the United States or Congress, whichever date of inception is
23 earliest, who has served in Panama or on board any ship actively
24 engaged in patrolling the territorial waters of that nation for a period,
25 continuous or in the aggregate, of at least 14 days commencing on or
26 before January 31, 1990 or the date of termination of that mission, as
27 proclaimed by the President of the United States or Congress,
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 (16) Operation "Desert Shield/Desert Storm" mission in the
33 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
34 the date of inception of that operation, as proclaimed by the President
35 of the United States or Congress, whichever date of inception is
36 earliest, who has served in the Arabian peninsula or on board any ship
37 actively engaged in patrolling the Persian Gulf for a period, continuous
38 or in the aggregate, of at least 14 days commencing on or before the
39 date of termination of that mission, as proclaimed by the President of
40 the United States[,] or Congress [or the Governor], whichever date
41 of termination is the latest, in such active service; provided, that any
42 person receiving an actual service-incurred injury or disability shall be
43 classed as a veteran whether or not that person has completed the 14
44 days' service as herein provided;

45 (17) Operation "Restore Hope" in Somalia, commencing on or
46 after December 5, 1992, or the date of inception of that operation as

1 proclaimed by the President of the United States or the Congress,
2 whichever date is earliest, and terminating on March 31, 1994, or the
3 date of termination as proclaimed by the President of the United States
4 or the Congress, whichever date is latest, who served for at least 14
5 days, continuously or in the aggregate, in Somalia or on board any
6 ship actively engaged in patrolling the territorial waters of that nation
7 during the specified period; provided that any person receiving an
8 actual service-incurred injury or disability shall be classed as a veteran
9 whether or not that person has completed the 14 days' service as
10 herein provided;

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

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

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

35 t. "Widower" means the man to whom a member was married at
36 least five years before the date of her death and to whom she
37 continued to be married until the date of her death and who was
38 receiving at least one-half of his support from the member in the
39 12-month period immediately preceding the member's death or the
40 accident which was the direct cause of the member's death. The
41 dependency of such a widower will be considered terminated by
42 marriage of the widower subsequent to the death of the member. In
43 the event of the payment of an accidental death benefit, the five-year
44 qualification shall be waived.

45 u. "Widow" means the woman to whom a member was married at
46 least five years before the date of his death and to whom he continued

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

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

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

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

17

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

20 6. As used in this act:

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

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

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

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

34 e. "Child" means a deceased member's unmarried child either (1)
35 under the age of 18 or (2) 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 f. "Parent" shall mean the parent of a member who was receiving
42 at least 1/2 of the parent's 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 parent will be considered terminated by marriage of the parent
46 subsequent to the death of the member.

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

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

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

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

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

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

29 m. "Public Employees' Retirement System of New Jersey,"
30 hereinafter referred to as the "retirement system" or "system," is the
31 corporate name of the arrangement for the payment of retirement
32 allowances and other benefits under the provisions of this act including
33 the several funds placed under said system. By that name all of its
34 business shall be transacted, its funds invested, warrants for money
35 drawn, and payments made and all of its cash and securities and other
36 property held.

37 n. "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 the 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 o. "Retirement allowance" means the pension plus the annuity.

46 p. "Veteran" means any honorably discharged officer, soldier,

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

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

20 (2) The Spanish-American War between April 20, 1898, and April
21 11, 1899;

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

25 (4) The Peking relief expedition between June 20, 1900, and May
26 27, 1902;

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

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

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

33 (8) The Mexican border patrol, having actually participated in
34 engagements against Mexicans between April 12, 1911, and June 16,
35 1919;

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

37 (10) World War II, between September 16, 1940, and December
38 31, 1946, who shall have served at least 90 days in such active service,
39 exclusive of any period of assignment (1) for a course of education or
40 training under the Army Specialized Training Program or the Navy
41 College Training Program which course was a continuation of a
42 civilian course and was pursued to completion, or (2) as a cadet or
43 midshipman at one of the service academies any part of which 90 days
44 was served between said dates; 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 90-day service as herein

1 provided;

2 (11) Korean conflict on or after June 23, 1950, and on or prior to
3 January 31, 1955, who shall have served at least 90 days in such active
4 service, exclusive of any period of assignment (1) 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 (2) as a cadet
8 or midshipman at one of the service academies, any part of which 90
9 days was served between said dates; provided, that any person
10 receiving an actual service-incurred injury or disability shall be classed
11 as a veteran whether or not that person has completed the 90-day
12 service as herein provided; and provided further, that any member
13 classed as a veteran pursuant to this paragraph prior to August 1,
14 1966, shall continue to be classed as a veteran whether or not that
15 person completed the 90-day service between said dates as herein
16 provided;

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

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

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

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

18 (16) Operation "Desert Shield/Desert Storm" mission in the
19 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
20 the date of inception of that operation, as proclaimed by the President
21 of the United States, Congress or the Governor, whichever date of
22 inception is earliest, who has served in the Arabian peninsula or on
23 board any ship actively engaged in patrolling the Persian Gulf for a
24 period, continuous or in the aggregate, of at least 14 days commencing
25 on or before the date of termination of that mission, as proclaimed by
26 the President of the United States[,] or Congress [or the Governor],
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 (17) Operation "Restore Hope" in Somalia, commencing on or
32 after December 5, 1992, or the date of inception of that operation as
33 proclaimed by the President of the United States or the Congress,
34 whichever date is earliest, and terminating on March 31, 1994, or the
35 date of termination as proclaimed by the President of the United States
36 or the Congress, whichever date is latest, who served for at least 14
37 days, continuously or in the aggregate, in Somalia or on board any
38 ship actively engaged in patrolling the territorial waters of that nation
39 during the specified period; 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 14 days' service as
42 herein provided;

43 (18) Operations "Joint Endeavor" and "Joint Guard" in the
44 Republic of Bosnia and Herzegovina, commencing on or after
45 November 20, 1995 or December 20, 1996, as the case may be, and
46 terminating on December 20, 1996 or on such date as the United

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

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

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

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

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

34

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

40

41 ¹[3.] 4.¹ Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is
42 amended to read as follows:

43 1. For purposes of this act "veteran" means any honorably
44 discharged officer, soldier, sailor, airman, marine or nurse who served
45 in any Army, Air Force or Navy of the Allies of the United States in
46 World War I, between July 14, 1914, and November 11, 1918, or who

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

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

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

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

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

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

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

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

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

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

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

45 (11) Korean conflict on or after June 23, 1950, and on or prior to
46 January 31, 1955, who shall have served at least 90 days in such active

1 service, exclusive of any period of assignment (1) for a course of
2 education or training under the Army Specialized Training Program or
3 the Navy College Training Program which course was a continuation
4 of a civilian course and was pursued to completion, or (2) as a cadet
5 or midshipman at one of the service academies, any part of which 90
6 days was served between said dates; provided, 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 as herein provided; and provided further, that any member
10 classed as a veteran pursuant to this subparagraph prior to August 1,
11 1966, shall continue to be classed as a veteran whether or not the
12 member completed the 90-day service between said dates as herein
13 provided;

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

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

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

1 or disability shall be classed as a veteran whether or not that person
2 has completed the 14 days' service as herein provided;

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

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

28 (17) Operation "Restore Hope" in Somalia, commencing on or
29 after December 5, 1992, or the date of inception of that operation as
30 proclaimed by the President of the United States or the Congress,
31 whichever date is earliest, and terminating on March 31, 1994, or the
32 date of termination as proclaimed by the President of the United States
33 or the Congress, whichever date is latest, who served for at least 14
34 days, continuously or in the aggregate, in Somalia or on board any
35 ship actively engaged in patrolling the territorial waters of that nation
36 during the specified period; 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 14 days' service as
39 herein provided;

40 (18) Operations "Joint Endeavor" and "Joint Guard" in the
41 Republic of Bosnia and Herzegovina, commencing on or after
42 November 20, 1995 or December 20, 1996, as the case may be, and
43 terminating on December 20, 1996 or on such date as the United
44 States Secretary of Defense may designate, as the case may be, who
45 served in direct support of one or both of the operations for at least 14
46 days, continuously or in the aggregate, and (1) was deployed in that

1 nation or in another area in the region, or (2) was on board a United
2 States naval vessel operating in the Adriatic Sea, or (3) operated in
3 airspace above the Republic of Bosnia and Herzegovina; provided that
4 any person receiving an actual service-incurred injury or disability shall
5 be classed as a veteran whether or not that person completed the 14
6 days' service requirement.

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

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

12

13 15. (New section) The State shall be liable for any increased cost
14 to local government employers participating in the Police and
15 Firemen's Retirement System, established pursuant to P.L.1944, c.255
16 (C.43:16A-1 et seq.), as a result of the provisions of this act,
17 P.L. , c. (now pending before the Legislature as this bill).¹

18

19 ¹[4.] 6.¹ This act shall take effect immediately.

P.L. 2001, CHAPTER 128, *approved June 28, 2001*
Assembly Bill No. 1336 (*First Reprint*)

1 **AN ACT** concerning the qualification of certain persons as veterans for
2 certain purposes ¹[and]¹ amending N.J.S.18A:66-2, ¹and
3 amending and supplementing¹ P.L.1954, c.84 and P.L.1983, c.391.
4

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

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

9 18A:66-2. As used in this article:

10 a. "Accumulated deductions" means the sum of all the amounts,
11 deducted from the compensation of a member or contributed by or in
12 behalf of the member, including interest credited to January 1, 1956,
13 standing to the credit of the member's individual account in the annuity
14 savings fund.

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

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

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

26 e. "Employer" means the State, the board of education or any
27 educational institution or agency of or within the State by which a
28 teacher is paid.

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

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

38 h. "Pension" means payments for life derived from appropriations

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 floor amendments adopted May 3, 2001.

1 made by the State or employers to the Teachers' Pension and Annuity
2 Fund.

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

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

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

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

19 m. "Regular interest" shall mean interest as determined by the State
20 Treasurer, after consultation with the Directors of the Divisions of
21 Investment and Pensions, the board of trustees and the actuary. It
22 shall bear a reasonable relationship to the percentage rate of earnings
23 on investments based on the market value of assets but shall not
24 exceed the assumed percentage rate of increase applied to salaries plus
25 3%, provided however that the board of trustees shall not set the
26 average percentage rate of increase applied to salaries below 6%.

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

28 o. "School service" means any service as a "teacher" as defined in
29 this section.

30 p. "Teacher" means any regular teacher, special teacher, helping
31 teacher, teacher clerk, principal, vice-principal, supervisor, supervising
32 principal, director, superintendent, city superintendent, assistant city
33 superintendent, county superintendent, State Commissioner or
34 Assistant Commissioner of Education, members of the State
35 Department of Education who are certificated, unclassified
36 professional staff and other members of the teaching or professional
37 staff of any class, public school, high school, normal school, model
38 school, training school, vocational school, truant reformatory school,
39 or parental school, and of any and all classes or schools within the
40 State conducted under the order and superintendence, and wholly or
41 partly at the expense of the State Board of Education, of a duly
42 elected or appointed board of education, board of school directors, or
43 board of trustees of the State or of any school district or normal
44 school district thereof, and any persons under contract or engagement
45 to perform one or more of these functions. It shall also mean any
46 person who serves, while on an approved leave of absence from

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

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

16 r. "Veteran" means any honorably discharged officer, soldier,
17 sailor, airman, marine or nurse who served in any Army, Air Force or
18 Navy of the Allies of the United States in World War I between July
19 14, 1914, and November 11, 1918, or who served in any Army, Air
20 Force or Navy of the Allies of the United States in World War II,
21 between September 1, 1939, and September 2, 1945, and who was
22 inducted into such service through voluntary enlistment, and was a
23 citizen of the United States at the time of such enlistment, and who did
24 not, during or by reason of such service, renounce or lose United
25 States citizenship, and any officer, soldier, sailor, marine, airman,
26 nurse or army field clerk who has served in the active military or naval
27 service of the United States and has or shall be discharged or released
28 therefrom under conditions other than dishonorable, in any of the
29 following wars, uprisings, insurrections, expeditions or emergencies,
30 and who has presented to the retirement system evidence of such
31 record of service in form and content satisfactory to said retirement
32 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 April
37 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 May
42 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;

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 December
8 31, 1946, who shall have served at least 90 days in such active service,
9 exclusive of any period of assignment (1) for a course of education or
10 training under the Army Specialized Training Program or the Navy
11 College Training Program, which course was a continuation of a
12 civilian course and was pursued to completion, or (2) as a cadet or
13 midshipman at one of the service academies, any part of which 90 days
14 was served between said dates; provided that any person receiving an
15 actual service-incurred injury or disability shall be classed as a veteran,
16 whether or not that person has completed the 90-day service as herein
17 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 subsection prior to August 1,
30 1966, shall continue to be classed as a veteran, whether or not that
31 person completed the 90-day service between said dates as herein
32 provided;

33 (12) 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-day service as herein provided;

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

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

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

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

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

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

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

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

37 t. "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 one-half of his support from the member in the
41 12-month period immediately preceding the member's death or the
42 accident which was the direct cause of the member's death. The
43 dependency of such a widower will be considered terminated by
44 marriage of the widower subsequent to the death of the member. In
45 the event of the payment of an accidental death benefit, the five-year
46 qualification shall be waived.

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

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

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

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

19

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

22 6. As used in this act:

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

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

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

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

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

43 f. "Parent" shall mean the parent of a member who was receiving
44 at least 1/2 of the parent's support from the member in the 12-month
45 period immediately preceding the member's death or the accident
46 which was the direct cause of the member's death. The dependency of

1 such a parent will be considered terminated by marriage of the parent
2 subsequent to the death of the member.

3 g. "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 1/2 of his support from the member in the 12-month
7 period immediately preceding the member's death or the accident
8 which was the direct cause of the member's death. The dependency of
9 such a widower will be considered terminated by marriage of the
10 widower subsequent to the death of the member. In the event of the
11 payment of an accidental death benefit, the five-year qualification shall
12 be waived.

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

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

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

26 l. "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 under the provisions of this act, computed on the basis of such
29 mortality tables recommended by the actuary as the board of trustees
30 adopts, with regular interest.

31 m. "Public Employees' Retirement System of New Jersey,"
32 hereinafter referred to as the "retirement system" or "system," is the
33 corporate name of the arrangement for the payment of retirement
34 allowances and other benefits under the provisions of this act including
35 the several funds placed under said system. By that name all of its
36 business shall be transacted, its funds invested, warrants for money
37 drawn, and payments made and all of its cash and securities and other
38 property held.

39 n. "Regular interest" shall mean interest as determined by the State
40 Treasurer, after consultation with the Directors of the Divisions of
41 Investment and Pensions, the board of trustees and the actuary. It
42 shall bear a reasonable relationship to the percentage rate of earnings
43 on investments based on the market value of the assets but shall not
44 exceed the assumed percentage rate of increase applied to salaries plus
45 3%, provided however that the board of trustees shall not set the
46 average percentage rate of increase applied to salaries below 6%.

- 1 o. "Retirement allowance" means the pension plus the annuity.
- 2 p. "Veteran" means any honorably discharged officer, soldier,
3 sailor, airman, marine or nurse who served in any Army, Air Force or
4 Navy of the Allies of the United States in World War I, between July
5 14, 1914, and November 11, 1918, or who served in any Army, Air
6 Force or Navy of the Allies of the United States in World War II,
7 between September 1, 1939, and September 2, 1945, and who was
8 inducted into such service through voluntary enlistment, and was a
9 citizen of the United States at the time of such enlistment, and who did
10 not, during or by reason of such service, renounce or lose United
11 States citizenship, and any officer, soldier, sailor, marine, airman,
12 nurse or army field clerk, who has served in the active military or naval
13 service of the United States and has or shall be discharged or released
14 therefrom under conditions other than dishonorable, in any of the
15 following wars, uprisings, insurrections, expeditions, or emergencies,
16 and who has presented to the retirement system evidence of such
17 record of service in form and content satisfactory to said retirement
18 system:
- 19 (1) The Indian wars and uprisings during any of the periods
20 recognized by the War Department of the United States as periods of
21 active hostility;
- 22 (2) The Spanish-American War between April 20, 1898, and April
23 11, 1899;
- 24 (3) The Philippine insurrections and expeditions during the periods
25 recognized by the War Department of the United States as of active
26 hostility from February 4, 1899, to the end of 1913;
- 27 (4) The Peking relief expedition between June 20, 1900, and May
28 27, 1902;
- 29 (5) The army of Cuban occupation between July 18, 1898, and
30 May 20, 1902;
- 31 (6) The army of Cuban pacification between October 6, 1906, and
32 April 1, 1909;
- 33 (7) The Mexican punitive expedition between March 14, 1916, and
34 February 7, 1917;
- 35 (8) The Mexican border patrol, having actually participated in
36 engagements against Mexicans between April 12, 1911, and June 16,
37 1919;
- 38 (9) World War I, between April 6, 1917, and November 11, 1918;
- 39 (10) World War II, between September 16, 1940, and December
40 31, 1946, who shall have served at least 90 days in such active service,
41 exclusive of any period of assignment (1) for a course of education or
42 training under the Army Specialized Training Program or the Navy
43 College Training Program which course was a continuation of a
44 civilian course and was pursued to completion, or (2) as a cadet or
45 midshipman at one of the service academies any part of which 90 days
46 was served between said dates; provided, that any person receiving an

1 actual service-incurred injury or disability shall be classed as a veteran
2 whether or not that person has completed the 90-day service as herein
3 provided;

4 (11) Korean conflict on or after June 23, 1950, and on or prior to
5 January 31, 1955, who shall have served at least 90 days in such active
6 service, exclusive of any period of assignment (1) for a course of
7 education or training under the Army Specialized Training Program or
8 the Navy College Training Program which course was a continuation
9 of a civilian course and was pursued to completion, or (2) as a cadet
10 or midshipman at one of the service academies, any part of which 90
11 days was served between said dates; provided, 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 as herein provided; and provided further, that any member
15 classed as a veteran pursuant to this paragraph prior to August 1,
16 1966, shall continue to be classed as a veteran whether or not that
17 person completed the 90-day service between said dates as herein
18 provided;

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

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

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

8 (15) Panama peacekeeping mission, on or after December 20, 1989
9 or the date of inception of that mission, as proclaimed by the President
10 of the United States or Congress, whichever date of inception is
11 earliest, who has served in Panama or on board any ship actively
12 engaged in patrolling the territorial waters of that nation for a period,
13 continuous or in the aggregate, of at least 14 days commencing on or
14 before January 31, 1990 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 (16) Operation "Desert Shield/Desert Storm" mission in the
21 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
22 the date of inception of that operation, as proclaimed by the President
23 of the United States, Congress or the Governor, 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[,] or 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 (17) Operation "Restore Hope" in Somalia, commencing on or
34 after December 5, 1992, or the date of inception of that operation as
35 proclaimed by the President of the United States or the Congress,
36 whichever date is earliest, and terminating on March 31, 1994, or the
37 date of termination as proclaimed by the President of the United States
38 or the Congress, whichever date is latest, who served for at least 14
39 days, continuously or in the aggregate, in Somalia or on board any
40 ship actively engaged in patrolling the territorial waters of that nation
41 during the specified period; provided that any person receiving an
42 actual service-incurred injury or disability shall be classed as a veteran
43 whether or not that person has completed the 14-day service as herein
44 provided;

45 (18) Operations "Joint Endeavor" and "Joint Guard" in the
46 Republic of Bosnia and Herzegovina, commencing on or after

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

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

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

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

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

36

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

42

43 ¹[3.] 4.¹ Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is
44 amended to read as follows:

45 1. For purposes of this act "veteran" means any honorably
46 discharged officer, soldier, sailor, airman, marine or nurse who served

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

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

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

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

24 (4) The Peking relief expedition between June 20, 1900, and May
25 27, 1902;

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

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

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

32 (8) The Mexican border patrol, having actually participated in
33 engagements against Mexicans between April 12, 1911, and June 16,
34 1919;

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

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

1 (11) Korean conflict on or after June 23, 1950, and on or prior to
2 January 31, 1955, who shall have served at least 90 days in such active
3 service, exclusive of any period of assignment (1) for a course of
4 education or training under the Army Specialized Training Program or
5 the Navy College Training Program which course was a continuation
6 of a civilian course and was pursued to completion, or (2) as a cadet
7 or midshipman at one of the service academies, any part of which 90
8 days was served between said dates; provided, 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 as herein provided; and provided further, that any member
12 classed as a veteran pursuant to this subparagraph prior to August 1,
13 1966, shall continue to be classed as a veteran whether or not the
14 member completed the 90-day service between said dates as herein
15 provided;

16 (12) 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) Lebanon peacekeeping mission, on or after September 26,
32 1982, who has served in Lebanon or on board any ship actively
33 engaged in patrolling the territorial waters of that nation for a period,
34 continuous or in the aggregate, of at least 14 days commencing on or
35 before 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 (14) Grenada peacekeeping mission, on or after October 23, 1983,
42 who has served in Grenada or on board any ship actively engaged in
43 patrolling the territorial waters of that nation for a period, continuous
44 or in the aggregate, of at least 14 days commencing on or before
45 November 21, 1983 or the date of termination of that mission, as
46 proclaimed by the President of the United States or Congress,

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

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

17 (16) Operation "Desert Shield/Desert Storm" mission in the
18 Arabian peninsula and the Persian Gulf, on or after August 2, 1990 or
19 the date of inception of that operation, as proclaimed by the President
20 of the United States or Congress, whichever date of inception is
21 earliest, who has served in the Arabian peninsula or on board any ship
22 actively engaged in patrolling the Persian Gulf for a period, continuous
23 or in the aggregate, of at least 14 days commencing on or before the
24 date of termination of that mission, as proclaimed by the President of
25 the United States [,] or Congress [or the Governor], whichever date
26 of termination is the latest, in such active service; 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 has completed the 14
29 days' service as herein provided;

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

42 (18) Operations "Joint Endeavor" and "Joint Guard" in the
43 Republic of Bosnia and Herzegovina, commencing on or after
44 November 20, 1995 or December 20, 1996, as the case may be, and
45 terminating on December 20, 1996 or on such date as the United
46 States Secretary of Defense may designate, as the case may be, who

1 served in direct support of one or both of the operations for at least 14
2 days, continuously or in the aggregate, and (1) was deployed in that
3 nation or in another area in the region, or (2) was on board a United
4 States naval vessel operating in the Adriatic Sea, or (3) operated in
5 airspace above the Republic of Bosnia and Herzegovina; provided that
6 any person receiving an actual service-incurred injury or disability shall
7 be classed as a veteran whether or not that person completed the 14-
8 day service requirement.

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

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

14

15 15. (New section) The State shall be liable for any increased cost
16 to local government employers participating in the Police and
17 Firemen's Retirement System, established pursuant to P.L.1944, c.255
18 (C.43:16A-1 et seq.), as a result of the provisions of this act, P.L. ,
19 c. (now pending before the Legislature as this bill).¹

20

21 ¹[4.] 6.¹ This act shall take effect immediately.

22

23

24

25

26 Extends TPAF, PERS and PFRS veteran's status to certain participants
27 in peace-keeping operations in Somalia and Republic of Bosnia and
28 Herzegovina.

CHAPTER 128

AN ACT concerning the qualification of certain persons as veterans for certain purposes, amending N.J.S.18A:66-2, and amending and supplementing P.L.1954, c.84 and P.L.1983, c.391.

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

1. 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 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;

(18) 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;

(19) 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.

"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.

2. 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 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;

(18) 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;

(19) 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.

"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-24b State liable for increased cost to government employers for veterans of operations Restore Hope, Joint Endeavor and Joint Guard.

3. 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.128.

4. 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 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;

(18) 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;

(19) 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.

"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.

C.43:16A-15a State liable for increased cost to government employers for veterans of operations Restore Hope, Joint Endeavor and Joint Guard.

5. The State shall be liable for any increased cost to local government employers participating in the Police and Firemen's Retirement System, established pursuant to P.L.1944, c.255 (C.43:16A-1 et seq.), as a result of the provisions of this act, P.L.2001, c.128.

6. This act shall take effect immediately.

Approved June 28, 2001.

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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.