

43:16A-4.2 and 43:16A-4.3

LEGISLATIVE HISTORY CHECKLIST

NJSA 43:16A-4.2 and 43:16A-4.3 (Police--former chancemen--P&FRS--allow purchase of prior service credit)

LAWS 1981 CHAPTER 198

Bill No. A1063

Sponsor(s) Codey

Date Introduced Feb. 21, 1980

Committee: Assembly State Govt., Federal & Interstate Relations & Veterans Affairs  
Senate State Govt., Federal & Interstate Relations & Veterans Affairs

Amended during passage  Yes  No

Date of Passage: Assembly Oct. 16, 1980  
Senate Feb. 26, 1981

Date of approval July 9, 1981

Following statements are attached if available:

Sponsor statement	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Committee Statement: Assembly	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Senate	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Fiscal Note	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Veto Message	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Message on signing	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Following were printed:

Reports	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Hearings	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Dorothy Johnson  
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6/22/81

ASSEMBLY, No. 1063

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 21, 1980

By Assemblyman CODEY

Referred to Committee on State Government, Federal and  
Interstate Relations and Veterans Affairs

A SUPPLEMENT to "An act for the establishment of a police and firemen's retirement system for police, firemen and certain other law enforcement officers," approved May 23, 1944 (P. L. 1944, c. 255, C. 43:16A-1 et seq.), as said title was amended by P. L. 1976, c. 139.

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

1 1. Notwithstanding the provisions of section 4 of P. L. 1944,  
2 c. 255 (C. 43:16A-4), any person who on the effective date of this  
3 act and as a result of service in the police department of a muni-  
4 cipality is a member of the Police and Firemen's Retirement  
5 System established pursuant to the provisions of the act to which  
6 this act is a supplement, and who as a result of past part time  
7 or full time service as a chanceman in the police department of  
8 such municipality was enrolled in and made contributions to any  
9 retirement system established by such municipality pursuant to  
10 its adoption of the provisions of P. L. 1920, c. 160, and whose  
11 contributions to such municipal retirement system were not trans-  
12 ferred to the said Police and Firemen's Retirement System at the  
13 time of his enrollment therein nor returned to him, may make  
14 application to the board of trustees of the said Police and Firemen's  
15 Retirement System to have such part time or full time service as a  
16 chanceman be considered as creditable service for the purposes of  
17 the act to which this act is a supplement. Such application shall be  
18 accompanied by such evidence of service as a chanceman in such  
19 municipal police department and of contributions to the municipal  
20 retirement system thereof, as hereinabove described, as the board  
21 may require of the member.

1 2. The board shall, upon receiving such application and such  
2 evidence, advise the employer of the submission of such application  
3 and request the employer to submit such evidence of a return of

4 contributions to the member as the board deems necessary for the  
5 purposes of this section. The board shall within 60 days of receiv-  
6 ing, pursuant to section 1 of this supplementary act, evidence  
7 supporting such application make a determination of the amount  
8 of service as a chanceman for which contributions to a municipal  
9 retirement system were made by the member and the portion of  
10 such service for which such contributions were returned to the  
11 member. Notwithstanding the provisions to the contrary of section 4  
12 of P. L. 1944, c. 255 (C. 43:16A-4), or of any other law, the board  
13 shall thereupon credit to the member the remaining portion of such  
14 service as creditable service. Any employer of employees receiving  
15 credit for service under the provisions of this supplementary act  
16 shall be liable for the amount to be credited to the member's  
17 account. The actuary of the Police and Firemen's Retirement  
18 System shall calculate the amount of such liability and certify the  
19 same to the board. The board shall transmit to the employer notice  
20 of the amount due, and the employer shall within 60 days of receiv-  
21 ing such notice remit such amount in full to the Police and  
22 Firemen's Retirement System.

1 3. This act shall take effect immediately.

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#### STATEMENT

The purpose of this bill is to provide that any person who as a result of service in the police department of a municipality is a member of the Police and Firemen's Retirement System, and who as a result of past part-time or full-time service as a chanceman in the police department of the municipality was enrolled in and made contributions to any municipal retirement system established by the municipality, and whose contributions to the municipal retirement system were neither transferred to the Police and Firemen's Retirement System upon the member's enrollment therein nor returned to such member, be eligible to apply for and receive credit, for the purpose of calculating his pension entitlement, for the service as a chanceman. The bill further provides that the board of trustees of the Police and Firemen's Retirement System shall determine, on the basis of documentation submitted with his application by the member, the amount of creditable service. The bill further provides that the employing municipality shall be liable for the amount, as certified by the system actuary, to be paid into the system to cover this creditable service on the member's account.

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5 purposes of this section. The board shall within 60 days of receiv-  
6 ing, pursuant to section 1 of this supplementary act, evidence  
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A 1063 (1980)

ASSEMBLY STATE GOVERNMENT, FEDERAL AND  
INTERSTATE RELATIONS AND VETERANS  
AFFAIRS COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 1063**

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 15, 1980

This bill applies to a member of the Police and Firemen's Retirement System: (1) who is a policeman in a municipality; (2) who served part-time or full-time as a chanceman in the police department of that municipality at some time in the past and, as a result, was a member of a retirement system established by that municipality (a chanceman was a "reserve" policeman—someone who was on call and performed the regular duties of a policeman when called); and (3) whose contributions to that municipal retirement system were never transferred to PFRS (because PFRS does not recognize part-time service of any kind, nor full-time service as a chanceman, in calculating credit toward a pension) nor returned to him upon his enrollment in PFRS (because local pension funds were too financially distressed to allow such a return).

Under this bill, such a PFRS member as described above may apply for, and receive, credit toward his pension for his past service as a chanceman. The board of trustees of PFRS will determine the amount of creditable service, and the employing municipality will be liable for the amount to be paid to the system to cover this creditable service on the member's account.

This bill is a reintroduction of Assembly Bill No. 3080 of 1979, as amended by the Assembly State Government Committee. Assembly Bill No. 3080 was reported by the committee in April 1979 but was never acted upon by the Assembly during the last legislative session.

The Division of Pensions cannot estimate the cost of this legislation since it depends upon the particular circumstances of each individual affected. The cost could be as low as \$3,500.00 for each year of service, which is the average cost for a year of service in PFRS, or it could be more substantial if the service to be credited qualifies the individual for a benefit he would not otherwise receive. As noted above, this cost would be paid by the employing municipality.

## FROM THE OFFICE OF THE GOVERNOR

A-3195, sponsored by Assemblyman Albert Burstein (D-Bergen) which amends certain provisions of the State Higher Education Assistance Authority to permit parents to participate in the Federal Guaranteed Student Loan Program. Recent federal legislation makes the parents of dependent undergraduate students eligible to borrow in the federal program.

A-67, sponsored by Assemblyman William Flynn (D-Monmouth) which makes it a disorderly persons offense for an adult to bring alcoholic beverages onto school premises without express written permission.

The Governor conditionally vetoed the bill on May 4 for technical reasons. Under the measure as it originally passed, a person of legal age would be subject to a "petty disorderly persons offense" if he brought alcohol onto school premises without authorization. Current statutes provide that it is a "disorderly persons offense" for someone under the legal age to purchase liquor to possess or consume alcohol on school premises. Thus, enactment of the bill in its original form would result in violators of legal age (18) being prosecuted for a "disorderly persons offense," while violators of legal age to purchase liquor (19) would be subject to a "petty disorderly person offense."

In his veto message, the Governor recommended that the violation be changed from "petty disorderly persons offense" to a "disorderly persons offense," and suggested that the term "school premises" be more clearly defined.

The Legislature concurred with the Governor's recommendations.

A-1063, sponsored by Assemblyman Richard Codey (D-Essex) which permits municipal policemen who served as chance men in their municipal police departments at some time in the past to purchase prior service credit in the Police and Firemen's Retirement System. (PFRS)

A chanceman is a "reserve" policeman -- an officer who was on call and performed the duties of a policeman when called.

Under the bill, the former full or part-time chancemen must be a policeman in the municipality in which he served as a chancemen; have contributed while a chancemen, to the police retirement system established by the municipality; and never had his contributions to the municipal retirement system either transferred to PFRS or returned to him upon his enrollment in PFRS.

The bill provides that the board of trustees of PFRS will determine the former chancemen's amount of creditable service and the municipality will be liable for the amount paid to the system to cover the member's creditable service on his account.

A-1066, also sponsored by Assemblyman Codey, which extends coverage in the State Health Benefits program to certain retired employees of the Rutgers University Cooperative Extension Service who have amassed 25 years of service either to the State or to Rutgers.

Under current law, employees with 25 years of service to the State are eligible for health benefits after retirement, but the law does not provide similar coverage for employees of cooperative extension.

Cooperative Extension is jointly funded by the federal, state and local governments and the employees are enrolled in the Federal Civil Service Retirement system, not the State's. However, Cooperative Extension employees have been enrolled in the State's Health Benefits program since the 1950's but have not been eligible for continued coverage after retirement. This bill corrects that inequity.

A-1330, sponsored by Assemblyman C. Louis Bassano (R-Union) which provides a procedure in municipal court by which a spouse may be restrained from the marital residence for a period of up to three days in certain cases of spousal assault.

Under the bill, the municipal court judge is empowered to order the abusing spouse to stay away from his or her home for an initial period not to exceed 72 hours if the victimized spouse has lodged an assault complaint and if the court finds