

CHAPTER 276 LAWS OF N. J. 1968
APPROVED 8-4-68

ASSEMBLY, No. 422

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 13, 1968

By Assemblymen DICKEY, LASKIN, W. L. SMITH, BROWN
and MABIE

Referred to Committee on Law, Public Safety and Defense

AN ACT increasing the maximum age for appointment of police-
men and firemen and for their acceptance as members of the
Police and Firemen's Retirement System of New Jersey and
amending section 40:47-4 of the Revised Statutes and section 3
of P. L. 1944, c. 255.

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

1 1. Section 40:47-4 of the Revised Statutes is amended to read
2 as follows:

3 40:47-4. No person shall be appointed a member of the paid fire
4 or police department or force of any municipality who is less than
5 21 or more than [30] 35 years of age [except in counties of the
6 third class having a population of less than 75,000 inhabitants,
7 any person may be appointed a member of the police department
8 who is not less than 21 nor more than 35 years of age]. In any
9 municipality which shall be subject to the terms of Title 11, Civil
10 Service, of the Revised Statutes, any person who shall have met
11 the requirements of this section at the announced closing date of
12 a civil service examination for such position shall be considered
13 within the age requirements during the existence of the civil serv-
14 ice list promulgated as a result of that examination. But upon
15 the creation of paid fire or police department in any municipality,
16 nothing herein contained shall be construed to prohibit the con-
17 tinuance in office or employment of any person who is permanently
18 employed by the municipality in a part-paid fire or police depart-
19 ment at a fixed annual salary and whose sole occupation is that
20 of fireman or policeman.

21 The provisions of this section are subject to the provisions of
22 chapter 98 of the laws of 1944.

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

1 2. Section 3 of chapter 255 of the laws of 1944 is amended to
2 read as follows:

3 3. (1) After the date of the establishment of this retirement
4 system, any person becoming a full-time policeman or fireman in
5 a county or municipality or fire district located in a township where,
6 prior to the date this act takes effect, a pension under chapter 16
7 of Title 43 or article 4 of chapter 10 of Title 43 of the Revised
8 Statutes for policemen or firemen has been established, shall be-
9 come a member of this retirement system as a condition of his
10 employment; he will be enrolled provided, that his age at becoming
11 such full-time policeman or fireman is not over **[30]** 35 years or
12 if such person shall have met the requirements at the announced
13 closing date of a civil service examination for such position and
14 was appointed during the existence of the civil service list promul-
15 gated as a result of such examination; and further provided, that
16 he shall furnish such evidence of good health at the time of be-
17 coming a member as the retirement system shall require.

18 (2) After the date upon which this act becomes effective in any
19 county, municipality or political subdivision thereof, pursuant to
20 a referendum as hereinafter provided (a) any person becoming a
21 full-time policeman or fireman in any such county, municipality
22 or political subdivision shall become a member of this retirement
23 system as a condition of his employment; he will be enrolled pro-
24 vided, that his age at becoming such full-time policeman or fireman
25 is not over **[30]** 35 years; and provided further, that he shall
26 furnish such evidence of good health at the time of becoming a
27 member as the retirement system shall require; and (b) any person
28 in service as a full-time policeman or fireman in any such county,
29 municipality or political subdivision on the date this act becomes
30 effective therein who, within the time and in the manner permitted
31 by this act, elects to become a member of this retirement system,
32 shall become such member.

33 (3) Should any member withdraw his aggregate contributions,
34 or become a beneficiary or die, or if more than 2 years have elapsed
35 from the date of his last contributions to the system, he shall there-
36 upon cease to be a member.

37 (4) Should any member resign or be dismissed from the police
38 or fire service of the employing agency and not make application
39 for the return of his aggregate contributions, the retirement system
40 shall upon receiving conclusive advice of such separation, terminate
41 the membership. The employees contributions from memberships

42 so terminated shall be held by the retirement system and returned
43 to the employee without interest when application for such return
44 is made.

1 3. This act shall take effect immediately.

STATEMENT

This bill increases from 30 to 35 years the maximum age for appointment of policemen and firemen and for their acceptance as members of the Police and Firemen's Retirement System. Recruiting problems of municipal police and fire departments throughout the State dictate this change.

FISCAL NOTE TO
ASSEMBLY, No. 422

STATE OF NEW JERSEY

DATED: MARCH 14, 1968

Assembly Bill No. 422 increases the maximum age for appointment of police and firemen, and for their acceptance as members in the Police and Firemen's Retirement System of New Jersey and amends section 40:47-4 of the Revised Statutes, and section 3 of P. L. 1944, c. 255, to the extent that it permits the appointment of a paid member of a fire or police department or force of any municipality up to a maximum age of 35 years. In other words it increases the maximum age for the appointment of policemen and firemen from 30 years of age to 35 years of age.

No additional appropriation by the State would be required as the result of the passage of this bill.

The only fiscal impact of the passage of this bill would fall upon the various counties and municipalities which will be liable for contribution to the Police and Firemen's Retirement System. It is obvious, if the counties and municipalities took advantage of the increased maximum age in the appointment of firemen and policemen, that the cost of maintaining the actuarial stability of the pension fund would require greater contributions because of the increase in the average age of its members.

Based upon the best estimates of the Division of Pensions of the Department of the Treasury, it is estimated that the counties and municipalities involved would be required to contribute an additional sum of \$2,620,947.00 for the fiscal year 1968-1969, and the sum of \$2,669,061.00 for fiscal year 1969-1970. The above amounts are based upon actuarial valuation data as of June 30, 1966 projected to June 30, 1968.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.