

43:15A-7

LEGISLATIVE HISTORY CHECKLIST

NJSA: 43:15A-7 (Public employees-"temporary"--
certain--allow PERS membership)

LAWS OF: 1985 CHAPTER: 121

Bill No: A1979

Sponsor(s): Zangari and Foy

Date Introduced: May 14, 1984

Committee: Assembly: State Government, Civil Service, Election, Pensions
and Veterans Affairs

Senate: State Government, Federal and Interstate Relations and
Veteran Affairs

Amended during passage: Yes Amendments during passage denoted
by asterisks.

Date of Passage: Assembly: January 28, 1985

Senate: February 14, 1985

Date of Approval: April 9, 1985

Following statements are attached if available:

Sponsor statement: Yes Attached: Assembly
amendments, adopted
1-24-85, and Senate
amendments, adopted
1-8-84.

Committee statement: Assembly Yes
Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

121 85
4-9-85

[THIRD OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1979

STATE OF NEW JERSEY

INTRODUCED MAY 14, 1984

By Assemblymen ZANGARI and FOY

AN ACT to amend the "Public Employees' Retirement System Act," approved June 28, 1954 (P. L. 1954, c. 84), as said short title was amended by P. L. 1971, c. 213.

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

1 1. Section 7 of P. L. 1954, c. 84 (C. 43:15A-7) is amended to
2 read as follows:

3 7. There is hereby established the Public Employees' Retirement
4 System of New Jersey in the Division of Pensions of the Depart-
5 ment of the Treasury. The membership of the retirement system
6 shall include:

7 a. The members of the former "State Employees' Retirement
8 System of New Jersey" enrolled as such as of December 30, 1954
9 who shall not have claimed for refund their accumulated deductions
10 in said system as provided in this section [;] * [.] * * ; *

11 b. Any person becoming an employee of the State or other em-
12 ployer after January 2, 1955 and every veteran, other than those
13 whose appointments are *** [temporary or] *** * [temporary
14 or] * seasonal, becoming an employee of the State or other employer
15 after such date [;] * [Any person becoming an employee, classified
16 as "seasonal or temporary" by Civil Service regulation, of the
17 State or any municipality or county which participates in the
18 Public Employees' Retirement System is eligible for membership
19 therein after the 12th consecutive month of employment.] * * ,
19A including a ** [temporary] * * * [provisional] * * * * tempo-
19B rary * * * employee with at least one year's continuous service; and *

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

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted November 19, 1984.

**—Assembly amendments adopted January 8, 1985.

***—Assembly amendments adopted January 24, 1985.

20 c. Every employee veteran in the employ of the State or other
21 employer on January 2, 1955 who is not a member of any retire-
22 ment system supported wholly or partly by the State.

23 d. Membership in the retirement system shall be optional for
24 elected officials other than veterans, and for school crossing guards,
25 who having become eligible for benefits under other pension systems
26 are so employed on a part-time basis. Any such part-time school
27 crossing guard who is eligible for benefits under any other pension
28 system and who was hired as a part-time school crossing guard
29 prior to March 4, 1976, may at any time terminate his membership
30 in the retirement system by making an application in writing to the
31 board of trustees of the retirement system. Upon receiving such
32 application, the board of trustees shall terminate his enrollment in
33 the system and direct the employer to cease accepting contributions
34 from the member or deducting from the compensation paid to the
35 member. State employees who become members of any other retire-
36 ment system supported wholly or partly by the State as a condition
37 of employment shall not be eligible to membership in this retire-
38 ment system. Notwithstanding any other law to the contrary all
39 other persons accepting employment in the service of the State
40 shall be required to enroll in the retirement system as a condition
41 of their employment, regardless of age. No person in employment,
42 office or position, for which the annual salary or remuneration is
43 fixed at less than \$500.00, shall be eligible to become a member of
44 the retirement system.

45 e. Membership of any person in the retirement system shall cease
46 if he shall discontinue his service for more than two consecutive
47 years.

48 f. The accumulated deductions of the members of the former
49 "State Employees' Retirement System" which have been set aside
50 in a trust fund designated as Fund A as provided in section 5 of
51 this act and which have not been claimed for refund prior to
52 February 1, 1955 shall be transferred from said Fund A to the
53 Annuity Savings Fund of the Retirement System, provided for in
54 section 25 of this act. Each member whose accumulated deductions
55 are so transferred shall receive the same prior service credit,
56 pension credit, and membership credit in the retirement system as
57 he previously had in the former "State Employees' Retirement
58 System" and shall have such accumulated deductions credited to
59 his individual account in the Annuity Savings Fund. Any outstand-
60 ing obligation of such member shall be continued.

61 g. Any school crossing guard electing to terminate his member-
62 ship in the retirement system pursuant to subsection d. of this

63 section shall, upon his request, receive a refund of his accumulated
64 deductions as of the date of his appointment to the position of
65 school crossing guard. Such refund of contributions shall serve as
66 a waiver of all benefits payable to the employee, to his dependent
67 or dependents, or to any of his beneficiaries under the retirement
68 system.

1 2. This act shall take effect immediately.

65 school crossing guard. Such refund of contributions shall serve as
66 a waiver of all benefits payable to the employee, to his dependent
67 or dependents, or to any of his beneficiaries under the retirement
68 system.

1 2. This act shall take effect immediately.

STATEMENT

This bill amends the law concerning membership in PERS. The law presently provides that certain public employees are included in the membership of PERS unless their appointments are temporary or seasonal. This bill makes certain public employees eligible for PERS membership after 12 consecutive months of employment with the State or any municipality or county which participates in PERS. The purpose of this bill is to alleviate inequitable situations created when public employees, identified as seasonal or temporary by Civil Service regulations, continue to be employed by the same employer for several years.

A1979(1985)

ASSEMBLY STATE GOVERNMENT, CIVIL SERVICE,
ELECTIONS, PENSIONS AND VETERANS AFFAIRS
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1979

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 19, 1984

This bill provides that persons in positions covered by the Public Employees' Retirement System who are classified by Civil Service regulation as "temporary" employees shall be eligible for membership in PERS after one year's continuous service.

COMMITTEE ACTION:

The committee amended the bill to exclude from its extension of eligibility for PERS membership seasonal employees and reported the bill, as amended, favorably.

OK
19

to

ADOPTED
5
JAN 8 1984

Assembly Bill No. 1979~~ee~~ (CCR)

o-l
m

(ZANGARI)

Amend:

Page	Sec.	Line
1	1	13
1	1	19

after "are" insert "temporary or"

omit "temporary" insert "provisional"

STATEMENT

This amendment makes the bill's language conform with the terminology used by the Department of Civil Service and better serves the bill's intention. Provisional employees are those who are awaiting permanent appointment, whereas temporary employees are not seeking permanent appointment and, therefore, have no desire to join the Public Employees' Retirement System.

Assembly Amendments
(Proposed by Assemblyman Zangari)

OK
WAL

to

ADOPTED

Assembly Bill No. 1979 (OCR) ~~As~~
(Sponsored by Assemblyman Zangari)

2ND OCR

Amend: JAN 24 1985

Page	Sec.	Line
1	1	13
1	1	19A

omit "temporary or"

omit "provisional" insert "temporary"

Statement

This amendment clarifies the meaning of the word "temporary" as used by the Division of Pensions.

BILLS SIGNED
PAGE FOUR
APRIL 9, 1985

A-1612, sponsored by Assemblyman William E. Flynn, D-Middlesex, which prohibits a county welfare agency from requiring repayment for child assistance from funds arising from certain portions of a personal injury award to a child.

A-1979, sponsored by Assemblyman James Zangari, D-Essex, which amends the Public Employees' Retirement System Act to allow temporary employees with at least one year of service to enroll in the Public Employee Retirement System.

A-2377, sponsored by Assemblyman Thomas W. Long, D-Union, which exempts from the Air Safety and Hazardous Zoning Act, airports owned and operated by a Federal or military authority, the Port Authority of New York and New Jersey and those airports located within the Port of New York District.

A-3299, sponsored by Assemblyman Paul Cuprowski, D-Hudson, which appropriates \$51,000 for the Jersey City-Hoboken joint disaster program, which provides immediate aid to families forced out of their living quarters by fire or other disasters.

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