

14 Aug. 1957

Legislative History of,
R.S. 1942-1. Pensioners ineligible to hold public employment.

R.S. 1942-1 was first enacted in 1932 as Chapter 259 of the Laws of 1932. It was introduced as Senate Bill 354 by Mr. Moser. It had the following:

Statement.

To prohibit those receiving a pension from also drawing a public salary.

There were no hearings on this bill; however, the bill underwent a number of changes in committee and the Committee Substitute was passed. I have underlined on the copy of the Statute, the changes of the Committee Substitute.

The Law was amended in 1933 to include out-of-state pensioners. L. 1933, Ch. 212. It was introduced as Senate Bill 275 by Mr. Moser. The bill has the following:

Statement.

The object of this act is as follows: The act was passed in 1932 to prevent people who received pensions and gratuities, filling offices and employment in the state to the exclusion of others. This amendment is to provide the same rule with respect to those who are receiving pensions from outside of the State. New York and Pennsylvania Policemen who have been retired in their respective states, have in some instances, come to New Jersey and received appointments. At the present time, they have an advantage over New Jersey men, the object of this amendment being to put them in the same position as our own residents.

There were no hearings. The bill was amended twice, once in the Senate, once in Assembly. The changes involved only the addition of the words "other than elective" to public offices.

The Section was again amended in 1951. L. 1951, Ch. 209. It was introduced by Senator Farley as Senate Bill 152. It had the following:

Statement.

The above bill is to correct an injustice. If a person on pension accepts a public office with a small salary, he loses his pension for the time he holds his office. This is unfair. The above bill permits such person to choose to take either his salary or his pension.

There were no hearings and the bill was not amended.

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1957

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The latest amendment was in 1955. L. 1955, Ch. 194. Introduced as Assembly 129 by Mr. Bowkley. It had the following:

Statement.

This act would permit the widow of a fireman or policeman to accept public employment without waiving her pension rights.

There were no hearings. The bill was amended once to correct errors of omission.

We can not find any other references to this statute.

For your information, we are enclosing:

Laws 1932, Chapter 259

Laws 1951, Chapter 208

Laws 1955, Chapter 194

Senate Bill 354, 1932

Senate Bill 275, 1933

Senate Bill 275, Third-Off. Copy, Reprint, 1933
PROPERTY OF
SENATE BILL 275, 1933

Senate Bill 275, Third-Off. Copy, Reprint, 1933
(This latter copy is identical with Laws 1933,
Chapter 212)

188 W. State Street

London, N. J.

Assembly Bill 129, 1955

Assembly Committee Amendments to 129, 1955

Assembly 129, Off. Copy Reprint, 1955.

STATE OF NEW JERSEY

INTRODUCED JUNE 6, 1932

By Mr. KUSER

Referred to Committee on Judiciary

AN ACT concerning the counties, cities, towns, townships, boroughs, villages and other municipalities of this State, and regulating public employment therein.

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

1 1. Any person who at the time of the passage of this act is receiving any pen-
2 sion or subsidy from any county, city, town, township, borough, village or other mu-
3 nicipality, including school districts, shall from and after the passage hereof be in-
4 eligible to hold any public position or employment in any such county, city, town,
5 township, borough, village or other municipality, as the case may be, unless he shall
6 have previously notified and authorized the proper authorities of such county, city,
7 town, township, borough, village or other municipality or school district that for the
8 duration of the time during which this act is operative his pension shall be suspended.

1 2. The State Civil Service Commission, and the governing body of the several
2 counties and other municipalities in this act enumerated, shall by resolution provided
3 for the vacation of any such position and employment so held, unless he shall have
4 authorized suspension of his pension according to the method hereinbefore provided,
5 and from and after the passage hereof shall be charged with the enforcement of the
6 provisions of this act.

1 3. The officers of such respective governing bodies and any other person who
2 shall violate any of the provisions hereof shall be guilty of a misdemeanor.

1 4. This act shall take effect immediately but its provisions shall become inop-
2 erative after July first, one thousand nine hundred and thirty-three.

STATEMENT

To prohibit those receiving a pension from also drawing a public salary.

Committee Substitute Missing