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P.L. 1999, CHAPTER 230, *approved October 4, 1999*

Assembly, No. 402

1 **AN ACT** concerning the election of certain trustees of the Teachers'  
2 Pension and Annuity Fund and amending N.J.S.18A:66-56.

3

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

6

7 1. N.J.S.18A:66-56 is amended to read as follows:

8 18A:66-56. Subject to the provisions of chapter 70 of the laws of  
9 1955, the general responsibility for the proper operation of the  
10 teachers' pension and annuity fund shall be vested in the board of  
11 trustees. Subject to the limitations of the law, the board shall annually  
12 establish rules and regulations for the administration and transaction  
13 of its business and for the control of the funds created by this article.  
14 Such rules and regulations shall be consistent with those adopted by  
15 the other pension funds within the Division of Pensions in order to  
16 permit the most economical and uniform administration of all such  
17 retirement systems. The membership of the board shall consist of the  
18 following:

19 (a) The State Treasurer or the deputy State Treasurer, when  
20 designated for that purpose by the State Treasurer;

21 (b) Two trustees appointed by the Governor, with the advice and  
22 consent of the Senate, who shall serve for a term of office of three  
23 years and until their successors are appointed, and who shall be private  
24 citizens of the State of New Jersey and who are neither an officer  
25 thereof nor active or retired members of the system, except that of the  
26 two trustees initially appointed by the Governor pursuant to P.L.1992,  
27 c.41 (C.43:6A-33.1 et al.), one shall be appointed for a term of two  
28 years and one for a term of three years;

29 (c) Three trustees from among the active or retired members of the  
30 retirement system, elected by the membership or by the delegates  
31 elected for this purpose by the membership, one of whom shall be  
32 elected each year for a three-year term commencing on January 1,  
33 following such election in such manner as the board of trustees may  
34 prescribe. If the board of trustees determines that the election of  
35 trustees under this subsection is to be made by delegates elected by the  
36 membership, it shall prescribe that those delegates shall be chosen  
37 from among active and retired members of the retirement system;

38 (d) One trustee not an active or retired teacher nor an officer of the  
39 State, elected by the other trustees, other than the State Treasurer, for  
40 a term of three years.

41 A vacancy occurring in the board of trustees shall be filled in the

**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 same manner as provided in this section for regular appointment or  
2 election to the position where the vacancy exists, except that a  
3 vacancy occurring in the trustees elected from among the active or  
4 retired members of the retirement system shall be filled for the  
5 unexpired term.

6 Each member of the board shall, upon appointment or election, take  
7 an oath of office that, so far as it devolves upon him, he will diligently  
8 and honestly administer the board's affairs, and that he will not  
9 knowingly violate or willfully permit to be violated any provision of  
10 law applicable to this article. The oath shall be subscribed to by the  
11 member making it, certified by the officer before whom it is taken and  
12 filed immediately in the office of the Secretary of State.

13 Each trustee shall be entitled to one vote in the board and a  
14 majority of all the votes of the entire board shall be necessary for a  
15 decision by the board of trustees at a meeting of the board. The board  
16 shall keep a record of all its proceedings, which shall be open to public  
17 inspection.

18 The members of the board shall serve without compensation but  
19 shall be reimbursed for any necessary expenditures. No employee shall  
20 suffer loss of salary or wages through serving on the board.

21 The State Treasurer shall designate a medical board after  
22 consultation with the Director of the Division of Pensions, subject to  
23 veto by the board for valid reason. It shall be composed of three  
24 physicians who are not eligible to participate in the retirement system.  
25 The medical board shall pass upon all medical examinations required  
26 under the provisions of this article, shall investigate all essential  
27 statements and certificates by or on behalf of a member in connection  
28 with an application for disability retirement, and shall report in writing  
29 to the retirement system its conclusions and recommendations upon all  
30 matters referred to it.

31 (cf: P.L.1997, c.63, s.2)

32

33 2. This act shall take effect immediately.

34

35

36

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38 \_\_\_\_\_  
39 Permits retirants from TPAF to serve as delegates to convention at  
which elected trustees of pension fund are chosen.

# ASSEMBLY, No. 402

## STATE OF NEW JERSEY 208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

**Sponsored by:**

**Assemblyman JEFFREY W. MORAN**

**District 9 (Atlantic, Burlington and Ocean)**

**Assemblyman CHRISTOPHER J. CONNORS**

**District 9 (Atlantic, Burlington and Ocean)**

**SYNOPSIS**

Permits retirants from TPAF to serve as delegates to convention at which elected trustees of pension fund are chosen.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the election of certain trustees of the Teachers'  
2 Pension and Annuity Fund and amending N.J.S.18A:66-56.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. N.J.S.18A:66-56 is amended to read as follows:

8 18A:66-56. Subject to the provisions of chapter 70 of the laws of  
9 1955, the general responsibility for the proper operation of the  
10 teachers' pension and annuity fund shall be vested in the board of  
11 trustees. Subject to the limitations of the law, the board shall annually  
12 establish rules and regulations for the administration and transaction  
13 of its business and for the control of the funds created by this article.  
14 Such rules and regulations shall be consistent with those adopted by  
15 the other pension funds within the Division of Pensions in order to  
16 permit the most economical and uniform administration of all such  
17 retirement systems. The membership of the board shall consist of the  
18 following:

19 (a) The State Treasurer or the deputy State Treasurer, when  
20 designated for that purpose by the State Treasurer;

21 (b) Two trustees appointed by the Governor, with the advice and  
22 consent of the Senate, who shall serve for a term of office of three  
23 years and until their successors are appointed, and who shall be private  
24 citizens of the State of New Jersey and who are neither an officer  
25 thereof nor active or retired members of the system, except that of the  
26 two trustees initially appointed by the Governor pursuant to P.L.1992,  
27 c.41 (C.43:6A-33.1 et al.), one shall be appointed for a term of two  
28 years and one for a term of three years;

29 (c) Three trustees from among the active or retired members of the  
30 retirement system, elected by the membership or by the delegates  
31 elected for this purpose by the membership, one of whom shall be  
32 elected each year for a three-year term commencing on January 1,  
33 following such election in such manner as the board of trustees may  
34 prescribe. If the board of trustees determines that the election of  
35 trustees under this subsection is to be made by delegates elected by the  
36 membership, it shall prescribe that those delegates shall be chosen  
37 from among active and retired members of the retirement system;

38 (d) One trustee not an active or retired teacher nor an officer of the  
39 State, elected by the other trustees, other than the State Treasurer, for  
40 a term of three years.

41 A vacancy occurring in the board of trustees shall be filled in the  
42 same manner as provided in this section for regular appointment or  
43 election to the position where the vacancy exists.

**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 Each member of the board shall, upon appointment or election, take  
2 an oath of office that, so far as it devolves upon him, he will diligently  
3 and honestly administer the board's affairs, and that he will not  
4 knowingly violate or willfully permit to be violated any provision of  
5 law applicable to this article. The oath shall be subscribed to by the  
6 member making it, certified by the officer before whom it is taken and  
7 filed immediately in the office of the Secretary of State.

8 Each trustee shall be entitled to one vote in the board and a  
9 majority of all the votes of the entire board shall be necessary for a  
10 decision by the board of trustees at a meeting of the board. The board  
11 shall keep a record of all its proceedings, which shall be open to public  
12 inspection.

13 The members of the board shall serve without compensation but  
14 shall be reimbursed for any necessary expenditures. No employee shall  
15 suffer loss of salary or wages through serving on the board.

16 The State Treasurer shall designate a medical board after  
17 consultation with the Director of the Division of Pensions, subject to  
18 veto by the board for valid reason. It shall be composed of three  
19 physicians who are not eligible to participate in the retirement system.  
20 The medical board shall pass upon all medical examinations required  
21 under the provisions of this article, shall investigate all essential  
22 statements and certificates by or on behalf of a member in connection  
23 with an application for disability retirement, and shall report in writing  
24 to the retirement system its conclusions and recommendations upon all  
25 matters referred to it.

26 (cf: P.L.1992, c.41, s.5)

27

28 2. This act shall take effect immediately.

29

30

31

#### STATEMENT

32

33 This bill permits retired members of the Teachers' Pension and  
34 Annuity Fund (TPAF) to be delegates to the Fund's annual convention.

35 The statute establishing the membership of the TPAF board of  
36 trustees provides that, of the seven members of the board, three shall  
37 be "active or retired members of the retirement system, elected by the  
38 membership or by the delegates elected for this purpose by the  
39 membership . . . in such manner as the board of trustees may  
40 prescribe". N.J.S.A.18A:66-56. The regulations of the TPAF board  
41 of trustees provide that the three member-trustees shall be elected, one  
42 in each year, at an "annual convention of delegates of the membership  
43 of the Fund", N.J.A.C.17:3-1.4(a). The regulations further specify  
44 that "delegates to the convention must be active members of the  
45 Fund", N.J.A.C.17:3-1.4(e).

**A402 MORAN, CONNORS**

4

1 Under this bill, eligibility to serve as a delegate to the convention  
2 held to elect member trustees of the TPAF is extended to retired, as  
3 well as active, members of the retirement system.

# ASSEMBLY STATE GOVERNMENT COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 402**

# **STATE OF NEW JERSEY**

DATED: JUNE 4, 1998

The Assembly State Government Committee reports favorably Assembly Bill No. 402.

This bill permits retired members of the Teachers' Pension and Annuity Fund (TPAF) to be delegates to the Fund's annual convention.

The statute establishing the membership of the TPAF board of trustees provides that, of the seven members of the board, three shall be "active or retired members of the retirement system, elected by the membership or by the delegates elected for this purpose by the membership . . . in such manner as the board of trustees may prescribe" (N.J.S.A.18A:66-56). The regulations of the TPAF board of trustees provide that the three member-trustees shall be elected, one in each year, at an "annual convention of delegates of the membership of the Fund" (N.J.A.C.17:3-1.4(a)). The regulations further specify that "delegates to the convention must be active members of the Fund" (N.J.A.C.17:3-1.4(e)).

Under the bill, eligibility to serve as a delegate to the convention held to elect member-trustees of the TPAF is extended to retired, as well as active, members of the retirement system.

This bill was prefiled for introduction in the 1998 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE STATE GOVERNMENT, BANKING AND  
FINANCIAL INSTITUTIONS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 402**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 25, 1999

The Senate State Government, Banking and Financial Institutions Committee reports favorably Assembly, No. 402.

This bill permits retired as well as active members of the Teachers' Pension and Annuity Fund (TPAF) to serve as delegates to the TPAF annual convention.

The statute establishing the membership of the TPAF board of trustees provides that three of the board's seven members will be "active or retired members of the retirement system, elected by the membership or by the delegates elected for this purpose by the membership . . . in such manner as the board of trustees may prescribe" (N.J.S.A.18A:66-56). However, a regulation of the TPAF board of trustees (N.J.A.C.17:3-1.4e) does not allow retirees to be delegates and specifies that "delegates to the convention must be active members of the Fund". This legislation permits TPAF retirees to serve as delegates.

This bill is the same as Senate, No. 596.

**SENATE, No. 596**

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**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

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INTRODUCED FEBRUARY 23, 1998

**Sponsored by:**

**Senator LEONARD T. CONNORS, JR.**

**District 9 (Atlantic, Burlington and Ocean)**

**SYNOPSIS**

Permits retirants from TPAF to serve as delegates to convention at which elected trustees of pension fund are chosen.

**CURRENT VERSION OF TEXT**

As introduced.



S596 CONNORS

2

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27 to the retirement system its conclusions and recommendations upon all  
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29 (cf: 1997, c.63, s.2)

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STATEMENT

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**S596 CONNORS**

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SENATE STATE GOVERNMENT, BANKING AND  
FINANCIAL INSTITUTIONS COMMITTEE

STATEMENT TO

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**STATE OF NEW JERSEY**

DATED: FEBRUARY 25, 1999

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This bill is the same as Assembly, No. 402.