

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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NEW JERSEY STATE LIBRARY

1957

135 W 2 State Street
Trenton, N. J.

DEPOSITION
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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.

SENATE, No. 275

(P. L. 1932, Chap. 259, p. 569)

STATE OF NEW JERSEY

INTRODUCED MARCH 14, 1933

By Mr. KUSER

Referred to Committee on Economy and Reorganization

AN ACT to amend an act entitled "An act concerning the State, counties, cities, towns, townships, boroughs, villages and other municipalities of this State and regulating public employment therein," approved June fifteenth, nineteen hundred and thirty-two.

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

1 1. Section one of an act entitled "An act concerning the State, counties,
2 cities, towns, townships, boroughs, villages and other municipalities of this
3 State and regulating public employment therein," be and the same is hereby
4 amended to read as follows:

5 1. Any person who at the time of the passage of this act is receiving or
6 who shall hereafter be entitled to receive any pension or subsidy from [the]
7 this or any other State or from any county, city, town, township, borough,
8 village, or other municipality, including school districts of this or any other
9 State, shall from and after the passage hereof be ineligible to hold any pub-
10 lic position or employment in the State or in any county, city, town, town-
11 ship, borough, village or other municipality or school district, unless he shall
12 have previously notified and authorized the proper authorities of [the] said
13 State or of the county, city, town, township, borough, village or other mu-
14 nicipality or school district from which he is receiving or entitled to receive
15 such pension that, for the duration of the term of office of such public position

16 or employment his pension shall remain unpaid. Nothing in this act shall be
17 construed to affect any pension status or the renewal of payments of such
18 pension after the expiration of the aforesaid term of office, except that such
19 person must not accept any pension or subsidy for the time he held such posi-
20 tion or employment.

1 2. This act shall take effect immediately.

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 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.

[SECOND OFFICIAL COPY REPRINT]

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9 State, shall from and after the passage hereof be ineligible to hold any pub-
10 lic position other than elective or employment in the State or in any county,
11 city, town, township, borough, village or other municipality or school dis-
12 trict, unless he shall have previously notified and authorized the proper au-
13 thorities of said State or of the county, city, town, township, borough, village
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