

43:15A-47.2

LEGISLATIVE HISTORY CHECKLIST

NJSA: 43:15A-47.2 (Elected officials--retirement--include non--elective public service)

LAWS OF: 1985 CHAPTER: 414

BILL NO: S2253

Sponsor(s): Orechio

Date Introduced: September 20, 1984

Committee: Assembly: State Government, Civil Service, Elections, Pensions and Veteran's Affairs

Senate: -----

Amended during passage: No

Date of Passage: Assembly: December 12, 1985

Senate: January 31, 1985

Date of Approval: January 13, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate No

Fiscal Note: No

Veto Message: ~~No~~

Message on Signing: ~~No~~

Following were printed:

Reports: No

Hearings: No

SENATE, No. 2253

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 20, 1984

By Senator ORECHIO

(Without Reference)

AN ACT providing for the terms of retirement of certain elected public officials who are members of the Public Employees' Retirement System and supplementing P. L. 1954, c. 84 (C. 43:15A-1 et seq.).

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

1 1. Notwithstanding any contrary provision of the act to which
2 this act is a supplement, and except as may be otherwise provided
3 in P. L. 1972, c. 167 (C. 43:15A-135 et seq.) and P. L. 1983, c. 316
4 (C. 43:15A-47.1), a member of the retirement system shall be
5 eligible to retire while holding public office to which he was elected
6 if his retirement allowance is not based solely on his service in
7 the public office to which he was elected, and no contributions shall
8 be required of the member covering that service, provided the
9 member serves only for the term for which he was elected and
10 receives not more than 60% of the salary to which he is entitled.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to allow elected public officials to retire if the basis of their retirement is service which includes service in nonelective public offices or positions. In many cases, local elected public officials have had service in other governmental positions covered by the retirement system, but have been denied their retirement allowances on the basis that the Public Employees' Retirement System Act has been construed to prohibit retirement from one covered position while continuing to hold another. This bill will allow those members to continue in service in offices to which they were elected, but only for the term for which they were elected.

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

STATEMENT TO
SENATE, No. 2253

STATE OF NEW JERSEY

DATED: SEPTEMBER 9, 1985

This bill permits a member of the Public Employees' Retirement System to retire while holding a public office to which he was elected if his retirement allowance is not based solely on his service in that public office. Contributions covering the service will not be required of the member, provided that (1) the member serves only for the term for which he was elected and (2) the member receives not more than 60% of the salary to which he is entitled.

COMMITTEE ACTION:

The committee reported this bill favorably.

S-1452, sponsored by State Senator Wayne Dumont, Jr., R-Warren, which permits counties and municipalities to convey for nominal consideration to nonprofit organizations property which the organization will rehabilitate.

S-2220, sponsored by State Senator Garrett W. Hagedorn, R-Bergen, which strengthens the Rooming and Boarding House Act of 1979, by allowing the Commissioner of the Department of Community Affairs to suspend, cancel, revoke or refuse to endorse the license of a boarding house in cases where the operators, officers, directors or shareholders of the owning corporation have obstructed the enforcement of the act, made any false statement or report under the Act or refused to comply with rulings or orders by the Commissioner.

→ S-2253, sponsored by Senate President Carmen A. Orechio, D-Essex, which would allow a member of the Public Employees Retirement System who holds public office to file for retirement and commence receiving a retirement allowance so long as the allowance is not based solely on service in the office to which he is elected.

S-2296, sponsored by State Senator Raymond Lesniak, D-Union, which amends and supplements the hazardous materials transportation program by adding necessary enforcement provisions, provides for State adoption of the Federal Motor Carrier Safety Regulations for interstate carriers and provides a \$1 million supplemental appropriation to the Department of Law and Public Safety to fund the enforcement program.

S-2376, also sponsored by Senate President Orechio, which appropriates \$70 million in bond proceeds from the Water Supply Bond Act of 1981 to make a low-interest loan to the North Jersey District Water Supply Commission to finance its share of the cost of the Monksville Reservoir-Wanaque South Water Supply project.