

43:16A-1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 43:16A-1, 43:16A-1.1

(P & FRS-job reclassification-
allow continued membership.)

LAWS OF: 1985

CHAPTER: 29

Bill No: S2004

Sponsor(s): McManimon

Date Introduced: June 28, 1984

Committee: Assembly: State Government, Civil Service, Elections, Pensions
and Civil Service

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

Amended during passage: Yes Amendments during passage
denoted by asterisks

Date of Passage: Assembly: Dec. 17, 1984

Senate: Sep. 13, 1984

Date of Approval: February 1, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

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SENATE, No. 2004

STATE OF NEW JERSEY

INTRODUCED JUNE 28, 1984

By Senator McMANIMON

Referred to Committee on State Government, Federal and Interstate
Relations and Veterans Affairs

AN ACT to amend and supplement "An act for the establishment
of a police and firemen's retirement system for police, firemen
and certain other law enforcement officers," approved May 23,
1944 (P. L. 1944, c. 255) as said title was amended by P. L. 1976,
c. 139.

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

1 1. Section 1 of P. L. 1944, c. 255 (C. 43:16A-1) is amended to
2 read as follows:

3 1. As used in this act:

4 (1) "Retirement system" shall mean the Police and Firemen's
5 Retirement System of New Jersey as defined in section 2 of this act.

6 (2) "Policeman or fireman" shall mean any permanent and full-
7 time active uniformed employee, and any active permanent and
8 full-time employee who is a detective, lineman, fire alarm operator,
9 or inspector of combustibles of any police or fire department or
10 any employee of a police or fire department who was a member
11 of the retirement system for a period of 15 years prior to his trans-
12 fer to a position within the department not otherwise covered by
13 the retirement system. It shall also mean any permanent, active,
14 and full-time firefighter or officer employee of the State of New
15 Jersey, or any political subdivision thereof, with police powers and
16 holding one of the following titles: motor vehicles officer, motor
17 vehicles sergeant, motor vehicles lieutenant, motor vehicles cap-
18 tain, assistant chief, bureau of enforcement, and chief, bureau of
19 enforcement in the Division of Motor Vehicles, alcoholic beverage
20 control investigator, alcoholic beverage control inspector, assis-

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:

*—Senate committee amendments adopted July 30, 1984.

21 tant deputy director, bureau of enforcement and deputy director,
 22 bureau of enforcement in the Division of Alcoholic Beverage
 23 Control, conservation officer, assistant district conservation
 24 officer, district conservation officer, ***[and]*** chief conservation
 24A officer **and chief, bureau of law enforcement** in the Division
 25 of Fish, Game, and Wildlife, ranger and chief ranger in the
 26 Bureau of Parks, State fire warden and chief, assistant chief,
 27 division fire warden, assistant division fire warden, staff section
 28 fire warden, and field section fire warden in the Forest Fire
 29 Service, Department of Environmental Protection, chief,
 30 Bureau of Forest Fire Management—State forest fire warden,
 31 supervising forester (fire), principal forester (fire), senior
 32 forester (fire), assistant forester (fire) in the Bureau of Forest
 33 Fire Management, Department of Environmental Protection,
 34 marine patrolman, senior marine patrolman, principal marine
 35 patrolman, and chief, bureau of marine law enforcement, State
 36 fire marshal, deputy State fire marshal, and inspector fire safety,
 37 Department of Law and Public Safety, institution fire chief, and
 38 assistant institution fire chief, Department of Human Services,
 39 correction officer, senior correction officer, correction officer ser-
 40 geant, correction officer lieutenant, correction officer captain,
 41 *investigators, senior investigators, principal investigators, assis-*
 42 *tant chief investigators, chief investigators* and **[deputy keepers]**
 43 *Directors of Custody Operations I, II, III* in the Department of
 44 Corrections, medical security officer, assistant supervising medical
 45 security officer, and supervising medical security officer in the
 46 Department of Human Services, county detective, lieutenant of
 47 county detectives, captain of county detectives, deputy chief of
 48 county detectives, chief of county detectives, supervising auditor-
 49 investigator, auditor-investigator, electronics specialist, traffic
 50 safety coordinator-investigator, supervisor of electronics and in-
 51 vestigations, and county investigator in the office of the county
 52 prosecutors, county sheriff, sheriff's officer, sergeant sheriff's officer,
 53 lieutenant sheriff's officer, captain sheriff's officer, chief sheriff's
 54 officer, and sheriff's investigator in the office of the county sheriffs,
 55 county correction officer, county correction sergeant, county cor-
 56 rection lieutenant, county correction captain, and county deputy
 57 warden in the several county jails, industrial trade instructor and
 58 identification officer in a county of the first class having a population
 59 of more than 850,000 inhabitants, cottage officer, head cottage
 60 officer, interstate escort officer, juvenile officer, head juvenile
 61 officer, assistant supervising juvenile officer, supervising juvenile
 62 officer, patrolman capitol police, patrolman institutions, sergeant

63 patrolman institutions, and supervising patrolman institutions and
64 patrolman or other police officer of the Board of Commissioners of
65 the Palisades Interstate Park appointed pursuant to R. S.
66 32:14-21.

67 (3) "Member" shall mean any policeman or fireman included
68 in the membership of the retirement system as provided in section
69 3 of this act.

70 (4) "Board of trustees" or "board" shall mean the board pro-
71 vided for in section 13 of this act.

72 (5) "Medical board" shall mean the board of physicians pro-
73 vided for in section 13 of this act.

74 (6) "Employer" shall mean the State of New Jersey, the
75 county, municipality or political subdivision thereof which pays
76 the particular policeman or fireman.

77 (7) "Service" shall mean service as a policeman or fireman
78 paid for by an employer.

79 (8) "Creditable service" shall mean service rendered for which
80 credit is allowed as provided under section 4 of this act.

81 (9) "Regular interest" shall mean interest as determined
82 annually by the State Treasurer after consultation with the
83 Directors of the Divisions of Investment and Pensions and the
84 actuary of the system. It shall bear a reasonable relationship to
85 the percentage rate of earnings on investments but shall not exceed
86 105% of such percentage rate.

87 (10) "Aggregate contributions" shall mean the sum of all the
88 amounts, deducted from the compensation of a member or con-
89 tributed by him or on his behalf, standing to the credit of his indi-
90 vidual account in the annuity savings fund.

91 (11) "Annuity" shall mean payments for life derived from the
92 aggregate contributions of a member.

93 (12) "Pension" shall mean payments for life derived from
94 contributions by the employer.

95 (13) "Retirement allowance" shall mean the pension plus the
96 annuity.

97 (14) "Earnable compensation" shall mean the full rate of the
98 salary that would be payable to an employee if he worked the full
99 normal working time for his position. In cases where salary in-
100 cludes maintenance, the retirement system shall fix the value of
101 that part of the salary not paid in money which shall be considered
102 under this act.

103 (15) "Average final compensation" shall mean the average
104 annual salary upon which contributions are made for the three
105 years of creditable service immediately preceding his retirement

106 or death, or it shall mean the average annual salary for which
107 contributions are made during any three fiscal years of his or her
108 membership providing the largest possible benefit to the member
109 or his beneficiary.

110 (16) "Retirement" shall mean the termination of the member's
111 active service with a retirement allowance granted and paid under
112 the provisions of this act.

113 (17) "Annuity reserve" shall mean the present value of all
114 payments to be made on account of any annuity or benefit in lieu
115 of any annuity computed upon the basis of such mortality tables
116 recommended by the actuary as shall be adopted by the board of
117 trustees, and regular interest.

118 (18) "Pension reserve" shall mean the present value of all
119 payments to be made on account of any pension or benefit in lieu of
120 any pension computed upon the basis of such mortality tables
121 recommended by the actuary as shall be adopted by the board of
122 trustees, and regular interest.

123 (19) "Actuarial equivalent" shall mean a benefit of equal value
124 when computed upon the basis of such mortality tables recom-
125 mended by the actuary as shall be adopted by the board of trustees,
126 and regular interest.

127 (20) "Beneficiary" shall mean any person receiving a retire-
128 ment allowance or other benefit as provided by this act.

129 (21) "Child" shall mean a deceased member's or retirant's
130 unmarried child either (a) under the age of 18 or (b) of any age
131 who, at the time of the member's or retirant's death, is disabled
132 because of mental retardation or physical incapacity, is unable to
133 do any substantial, gainful work because of the impairment and his
134 impairment has lasted or can be expected to last for a continuous
135 period of not less than 12 months, as affirmed by the medical board.

136 (22) "Parent" shall mean the parent of a member who was
137 receiving at least one-half of his support from the member in the
138 12-month period immediately preceding the member's death or the
139 accident which was the direct cause of the member's death. The
140 dependency of such a parent will be considered terminated by
141 marriage of the parent subsequent to the death of the member.

142 (23) "Widower" shall mean the man to whom a member or
143 retirant was married at least two years before the date of her
144 death and to whom she continued to be married until the date of
145 her death and who was receiving at least one-half of his support
146 from the member or retirant in the 12-month period immediately
147 preceding the member's or retirant's death or the accident which
148 was the direct cause of the member's death. The dependency of

149 such a widower will be considered terminated by marriage of the
150 widower subsequent to the death of the member or retirant. In
151 the event of the payment of an accidental death benefit, the two-
152 year qualification shall be waived.

153 (24) "Widow" shall mean the woman to whom a member or
154 retirant was married at least two years before the date of his
155 death and to whom he continued to be married until the date of
156 his death and who has not remarried. In the event of the payment
157 of an accidental death benefit, the two-year qualification shall be
158 waived.

159 (25) "Fiscal year" shall mean any year commencing with
160 July 1, and ending with June 30, next following.

161 (26) "Compensation" shall mean the base salary, for services
162 as a member as defined in this act, which is in accordance with
163 established salary policies of the member's employer for all em-
164 ployees in the same position but shall not include individual salary
165 adjustments which are granted primarily in anticipation of the
166 member's retirement or additional remuneration for performing
167 temporary duties beyond the regular work day.

168 (27) "Department" shall mean any police or fire department of
169 a municipality or a fire department of a fire district located in a
170 township or a county police or park police department or the
171 appropriate department of the State or instrumentality thereof.

172 (28) "Final compensation" means the compensation received
173 by the member in the last 12 months of creditable service preced-
174 ing his retirement.

1 2. (New section) Any member of the Police and Firemen's
2 Retirement System of New Jersey who holds one of the titles set
3 forth in section 1 of P. L. 1944, c. 255 (C. 43:16A-1) and who is
4 reclassified to another of the titles set forth in that section, shall
5 continue his membership with the same rights and benefits and
6 subject to the same conditions as any other member who holds
7 the title into which he has been reclassified.

1 3. This act shall take effect immediately.

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 151 the event of the payment of an accidental death benefit, the two-
 152 year qualification shall be waived.

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 5 continue his membership with the same rights and benefits and
 6 subject to the same conditions as any other member who holds
 7 the title into which he has been reclassified.

1 3. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to permit certain members of the Police and Firemen's Retirement System who have been reclassified into new positions to continue their membership in the system, and to include those new titles (investigators, senior investigators, principal investigators, assistant chief investigators, chief investigators and Directors of Custody Operations I, II, III in the Department of Corrections) in the definition of "policeman or fireman."

S 2004 (1984)

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

STATEMENT TO
SENATE, No. 2004

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STATE OF NEW JERSEY

DATED: NOVEMBER 19, 1984

The purpose of this bill is to permit certain members of the Police and Firemen's Retirement System who have been reclassified into new positions to continue their membership in the system, and to include those titles (investigators, senior investigators, principal investigators, assistant chief investigators, chief investigators and Directors of Custody Operations I, II, III in the Department of Corrections) in the definition of "Policeman or fireman."

COMMITTEE ACTION:

The committee reported this bill favorably.



779cl
6cl

OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001

Contact: CARL GOLDEN
609-292-8956

TRENTON, N.J. 08625

Release: FRIDAY, FEB. 1, 1985

Governor Thomas H. Kean today signed legislation to include several new civil service job titles within the Department of Corrections in the Police and Firemen's Retirement System (PFRS).

The legislation, S-2004, was sponsored by Senator Francis McManimon, D-Mercer, and provides that the titles of investigator, senior investigator, principal investigator, assistant chief investigator, chief investigator, and director of custody operations be included in PFRS.

The individuals holding those positions have been members of PFRS. The need for the legislation arose when the Department of Civil Service assigned new job titles to them, raising the possibility that these individuals might not be able to retire as members of PFRS even though they paid into the system.

Other bills signed by the Governor are:

S-2228, sponsored by Senator Paul Contillo, D-Bergen, to appropriate \$15,000 to the Bergen County Department of Health DES screening program to enable it to continue operations.

A-189, sponsored by Assemblyman Garabed Haytaian, R-Warren, to require completion of a four-year curriculum in surveying to qualify for a land surveyor's license.

A-675, sponsored by Assemblyman Jorge Rod, R-Ocean, to provide that port watchmen's licenses issued by the Waterfront Commission of New York Harbor remain valid indefinitely.

NEW JERSEY STATE LEGISLATURE

- more -

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Trenton, N. J.