

43:15A-61

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LEGISLATIVE HISTORY CHECKLIST

NJSA: 43:15A-61

(PERS--amend final compensation for certain members)

LAWS OF: 1985

CHAPTER: 220

Bill No: S1307

Sponsor(s): Hirkala

Date Introduced: February 23, 1984

Committee: Assembly: State Government, Civil Service, Elections, Pensions and Veterans' Affairs.

Senate: -----

Amended during passage: Yes Amendments denoted by asterisks according to Governor's recommendations

Date of Passage: Assembly: May 6, 1985 Re-enacted 6-29-85 Senate: March 1, 1984 Re-enacted 6-24-85.

Date of Approval: July 2, 1985

Following statements are attached if available:

Sponsor statement: Yes (Below)

Committee statement: Assembly Yes

Senate No

Fiscal Note: No

Veto Message: Yes

Message on Signing: ~~No~~ Yes.

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

This bill allows veteran members of the Public Employees' Retirement System who have at least 30 years of creditable service and who have reached the age of 60 to retire and receive a pension equal to one-sixtieth of the final year's salary for each year of service.

(Over)

See newspaper clipping--attached, "New pension law benefits its sponsor," 7-10-85  
Bergen Record.

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**SENATE, No. 1307****STATE OF NEW JERSEY**

INTRODUCED FEBRUARY 23, 1984

By Senator HIRKALA

(Without Reference)

AN ACT to amend the "Public Employees' Retirement System Act," approved June 28, 1954 (P. L. 1954, c. 84), as said short title was amended by P. L. 1971, c. 213.

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

1 1. Section 61 of P. L. 1954, c. 84 (C. 43:15A-61) is amended to  
2 read as follows:

3 61. a. Any public employee veteran member in office, position or  
4 employment of this State or of a county, municipality, public  
5 agency, school district or board of education on January 2, 1955,  
6 who remains in continuous service thereafter and who has or  
7 shall have attained the age of 60 years and who has or shall have  
8 been for 20 years in office, position or employment of this State or  
9 of a county, municipality, public agency, school district or board of  
10 education, shall have the privilege of retiring for service and of  
11 receiving, instead of the retirement allowance provided under  
12 section 48 of this act, a retirement allowance of one-half of the  
13 compensation received during the last year of employment upon  
14 which contributions to the annuity savings fund or contingent  
15 reserve fund are made.

16 b. Any public employee veteran becoming a member after Jan-  
17 uary 2, 1955, who shall be in office, position or employment of this  
18 State or of a county, municipality, public agency, school district or  
19 board of education and who shall have attained 62 years of age and  
20 who has 20 years of aggregate service credit in such office, position  
21 or employment, shall have the privilege of retiring for service and

**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 amendment adopted in accordance with Governor's recommenda-  
tions June 24, 1985.**

22 receiving, instead of the retirement allowance provided under  
 23 section 48 of this act, a retirement allowance of one-half of the  
 24 compensation received during the last year of employment upon  
 25 which contributions to the annuity savings fund or contingent  
 26 reserve fund are made. The provisions of this subsection shall  
 27 also apply to any veteran who was a member on January 2, 1955,  
 28 but whose service was not continuous thereafter.

29 c. Any public employee veteran member who has been for 20  
 30 years in the aggregate in office, position or employment of this  
 31 State or of a county, municipality, public agency, school district or  
 32 board of education as of January 2, 1955, shall have the privilege  
 33 of retiring for ordinary disability and of receiving, instead of the  
 34 retirement allowance provided under section 45 of this act, a re-  
 35 tirement allowance of one-half of the compensation received during  
 36 the last year of employment upon which contributions to the  
 37 annuity savings fund or contingent reserve fund are made. Such  
 38 retirement shall be subject to the provisions governing ordinary  
 39 disability retirement in sections 42 and 44 of this act.

40 d. *Any public employee veteran member who shall be in office,*  
 41 *position or employment of this State or of a county, municipality,*  
 42 *public agency, school district or board of education and who shall*  
 43 *have attained 60 years of age and who has at least \***[30]**\* \*35\* years*  
 44 *of aggregate service credit in such office, position or employment,*  
 45 *shall have the privilege of retiring for service and receiving a retire-*  
 46 *ment allowance of one-sixtieth of the compensation he received dur-*  
 47 *ing the last year of employment upon which contributions to the an-*  
 48 *nuity savings fund or contingent reserve fund are made for each*  
 49 *year of creditable service.*

50 **[d.]** e. The death benefit provided in section 48 shall apply in  
 51 the case of any member retiring under the provisions of sub-  
 52 section a. **[and]**, b. and d. of this section. The death benefit pro-  
 53 vided in section 45 shall apply in the case of any member retiring  
 54 under the provisions of subsection c. of this section.

1 2. This act shall take effect immediately.

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6-17-85

SENATE, No. 1307

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 23, 1984

By Senator HIRKALA

(Without Reference)

AN ACT to amend the "Public Employees' Retirement System Act," approved June 28, 1954 (P. L. 1954, c. 84), as said short title was amended by P. L. 1971, c. 213.

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

1 1. Section 61 of P. L. 1954, c. 84 (C. 43:15A-61) is amended to  
2 read as follows:

3 61. a. Any public employee veteran member in office, position or  
4 employment of this State or of a county, municipality, public  
5 agency, school district or board of education on January 2, 1955,  
6 who remains in continuous service thereafter and who has or  
7 shall have attained the age of 60 years and who has or shall have  
8 been for 20 years in office, position or employment of this State or  
9 of a county, municipality, public agency, school district or board of  
10 education, shall have the privilege of retiring for service and of  
11 receiving, instead of the retirement allowance provided under  
12 section 48 of this act, a retirement allowance of one-half of the  
13 compensation received during the last year of employment upon  
14 which contributions to the annuity savings fund or contingent  
15 reserve fund are made.

16 b. Any public employee veteran becoming a member after Jan-  
17 uary 2, 1955, who shall be in office, position or employment of this  
18 State or of a county, municipality, public agency, school district or  
19 board of education and who shall have attained 62 years of age and  
20 who has 20 years of aggregate service credit in such office, position  
21 or employment, shall have the privilege of retiring for service and

**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.**

22 receiving, instead of the retirement allowance provided under  
 23 section 43 of this act, a retirement allowance of one-half of the  
 24 compensation received during the last year of employment upon  
 25 which contributions to the annuity savings fund or contingent  
 26 reserve fund are made. The provisions of this subsection shall  
 27 also apply to any veteran who was a member on January 2, 1955,  
 28 but whose service was not continuous thereafter.

29 c. Any public employee veteran member who has been for 20  
 30 years in the aggregate in office, position or employment of this  
 31 State or of a county, municipality, public agency, school district or  
 32 board of education as of January 2, 1955, shall have the privilege  
 33 of retiring for ordinary disability and of receiving, instead of the  
 34 retirement allowance provided under section 45 of this act, a re-  
 35 tirement allowance of one-half of the compensation received during  
 36 the last year of employment upon which contributions to the  
 37 annuity savings fund or contingent reserve fund are made. Such  
 38 retirement shall be subject to the provisions governing ordinary  
 39 disability retirement in sections 42 and 44 of this act.

40 d. *Any public employee veteran member who shall be in office,*  
 41 *position or employment of this State or of a county, municipality,*  
 42 *public agency, school district or board of education and who shall*  
 43 *have attained 60 years of age and who has at least 30 years of ag-*  
 44 *gregate service credit in such office, position or employment, shall*  
 45 *have the privilege of retiring for service and receiving a retirement*  
 46 *allowance of one-sixtieth of the compensation he received during*  
 47 *the last year of employment upon which contributions to the an-*  
 48 *nuity savings fund or contingent reserve fund are made for each*  
 49 *year of creditable service.*

50 **[d.]** c. The death benefit provided in section 48 shall apply in  
 51 the case of any member retiring under the provisions of sub-  
 52 section a. **[and]**, b. and d. of this section. The death benefit pro-  
 53 vided in section 45 shall apply in the case of any member retiring  
 54 under the provisions of subsection c. of this section.

1 2. This act shall take effect immediately.

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#### STATEMENT

This bill allows veteran members of the Public Employees' Retirement System who have at least 30 years of creditable service and who have reached the age of 60 to retire and receive a pension equal to one-sixtieth of the final year's salary for each year of service.

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

STATEMENT TO  
**SENATE, No. 1307**

**STATE OF NEW JERSEY**

DATED: APRIL 29, 1985

This bill amends the "special" veterans retirement provision of the "Public Employees' Retirement System Act." The bill would allow a veteran member of PERS who has attained 60 years of age and accumulated 30 years of aggregate service credit in the retirement system to receive a retirement allowance of 1/60 of his final year's salary for each year of service.

COMMITTEE ACTION:

The committee reported the bill favorably.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

June 17, 1985

SENATE BILL NO. 1307

To the Senate:

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1307 with my recommendations for reconsideration.

Senate Bill No. 1307 would allow a veteran member of the Public Employees' Retirement System (PERS) who is age 60 with at least 30 years of aggregate service credit to retire and then receive a retirement allowance of 1/60 of the compensation received during his final year of employment for each year of creditable service. The effect of Senate Bill No. 1307 is to allow an eligible veteran PERS member to receive a minimum retirement allowance of 50% of final year's compensation.

I am advised that the sponsor introduced Senate Bill No. 1307 for veteran members of the PERS who are at least age 60 with at least 35 years of aggregate service credit. In its current form, Senate Bill No. 1307 would apply to veteran PERS members who are at least age 60 with at least 30 years of aggregate service credit. I recommend that Senate Bill No. 1307 be amended to raise the aggregate service credit requirement from 30 to 35 years to accurately reflect the sponsor's intent.

Accordingly, I return Senate Bill No. 1307 and recommend that it be amended as follows:

Page 2, Section 1, Line 43: Delete "30" insert "35"

Respectfully,  
/s/ Thomas H. Kean  
GOVERNOR

[seal]

Attest:  
/s/ W. Cary Edwards  
Chief Counsel



BILLS SIGNED

PAGE TWO

JULY 3, 1985

Other bills signed by the Governor with his recommendations made in earlier conditional vetoes are:

A-1044, sponsored by Assemblyman William Flynn, D-Middlesex, which precludes an individual who is found guilty or who pleads guilty to a criminal charge from filing a lawsuit to recover monetary damages for injuries sustained while engaged in criminal conduct.

S-1004, sponsored by Senator Christopher Jackman, D-Hudson, to increase the capital or net worth and liquidity requirements for check cashing licensee applicants.

S-1307 sponsored by Senator Joseph Hirkala, D-Passaic, to permit a veteran member of the Public Employees' Retirement System (PERS) who is 60 years of age and has 35 years of aggregate service to retire and receive an allowance of one-sixtieth of compensation received during his final year of employment for each year of credited service.

S-1356, sponsored by Senator John Caufield, D-Essex, to allow a chief investigator, assistant chief investigator, senior investigator or investigator in a county welfare agency to transfer membership into the Police and Firemen's Retirement System.

A-1821, sponsored by Assemblyman John Bennett, R-Monmouth, to permit county and municipal employers to provide health and hospital benefits coverage to retirees 62 years or older with at least 15 years of service.

S-215, sponsored by Senator Edward O'Connor, D-Hudson, which makes certain changes in the law pertaining to the Sheriff's Employees Retirement System.

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