

43:10-18.3

LEGISLATIVE HISTORY CHECKLIST

NJSA: 43:10-18.3 (County pension commissions--change nomination procedures)

LAWS OF: 1985 CHAPTER: 445

BILL NO: A3643

Sponsor(s): McEnroe

Date Introduced: May 6, 1985

Committee: Assembly: County Government and Regional Authorities  
Senate: County and Municipal Government

Amended during passage: No

Date of Passage: Assembly: June 24, 1985  
Senate: December 12, 1985

Date of Approval: January 13, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes  
Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

CHAPTER 445 LAWS OF N. J. 1985  
APPROVED 1-13-86

ASSEMBLY, No. 3643

STATE OF NEW JERSEY

INTRODUCED MAY 6, 1985

By Assemblyman McENROE

AN ACT concerning the nomination of county employee members to certain pension commissions and amending P. L. 1943, c. 160.

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

1 1. Section 3 of P. L. 1943, c. 160 (C. 43:10-18.3) is amended to  
2 read as follows:

3 3. There shall be authorized to carry out the provisions of this act  
4 and charged with the duty of administering the pension fund  
5 herein provided for, a pension commission composed of five mem-  
6 bers, consisting of the county supervisor or similar officer of the  
7 county, the treasurer of the county, two county employees who are  
8 members of the pension fund, and a citizen of the county who is not  
9 a public office holder in the county or any municipality therein and  
10 who shall be selected by the other four members of the commission.  
11 The two county employee members of the pension commission shall  
12 be elected within 60 days after the passage of this act at a meeting  
13 held by the county employees affected by this act after 30 days'  
14 written notice of the time and place thereof has been given by the  
15 county supervisor or similar county officer to all such employees.  
16 Nominations shall be made only by written petitions filed with the  
17 secretary of the pension commission at least 15 days prior to such  
18 election and each containing *the signatures of* at least [50 signa-  
19 tures] *10% of the county employees who are active members of the*  
20 *pension fund on the date written notice of the time and date of the*  
21 *election is provided to county employee members.* The county super-  
22 visor shall provide a suitable method of balloting whereby secrecy

**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.

23 shall be assured. Ballots shall be distributed among the county  
24 employees affected by this act at least seven days prior to the elec-  
25 tion and the voted ballot shall be returned to the secretary of the  
26 pension commission at any time prior to the 12 [m.] noon of the day  
27 fixed for the holding of the meeting and election. Employees who  
28 become members of the retirement system created by this act or  
29 who are members of any of the county employees' retirement  
30 systems referred to in section 7 of this act and merged thereunder  
31 shall be eligible to participate in such nomination and election of  
32 the two county employee members of the pension commission. The  
33 two county employees shall hold office until their successors are  
34 elected in the same manner as aforesaid at a meeting of the em-  
35 ployees held on the third Wednesday of December of the second  
36 year following the adoption of this act. Thereafter two county em-  
37 ployees shall be elected as members of the pension commission, in  
38 the same manner, on the third Wednesday of December every  
39 second year, for a term of two years commencing January 1 follow-  
40 ing their election.

41 In case of vacancy for any cause, the commission may fill it until  
42 the next election. Any member of said pension commission who  
43 shall leave the service of the county shall automatically cease to be  
44 a member of said commission.

45 The commission shall hold its annual meeting between January 1  
46 and 15 in each year and elect its president and such other officers as  
47 it deems advisable. The commission shall serve without compensa-  
48 tion, but shall be reimbursed for any necessary expenditures and  
49 shall suffer no loss of salary or other wages through service on  
50 such commission. The treasurer of the county, who shall be  
51 treasurer of the commission, shall appoint the secretary of this  
52 commission, who shall be some person chosen by him from among  
53 persons employed by such county who is versed in the affairs of  
54 the said treasurer's office and said treasurer shall fix the com-  
55 pensation of such appointee, subject to approval of the board of  
56 chosen freeholders. The commission shall secure the services of  
57 such physicians as shall be necessary to make the medical examina-  
58 tions required by this act.

59 The chief legal officer of the county shall be the legal adviser of  
60 and attorney for the said pension commission.

61 The pension commission shall have control and management of  
62 the funds and of the retirement of the county employees. The com-  
63 mission shall, from time to time, subject to the limitations of this  
64 act, establish rules and regulations for the transactions of its  
65 business and the administration of this act. Under the direction of

66 the pension commission, the head of each county department shall  
67 furnish such information and shall keep such records as the com-  
68 mission may require for the discharge of its duties.

69 The pension commission may require each employee of the county  
70 to file a statement or statements, in such form as the said commis-  
71 sion shall direct, concerning his service or other matters covered  
72 by this act.

73 The pension commission shall appoint an actuary who shall be the  
74 technical adviser of the commission on matters regarding the  
75 operation of the funds created by the provisions of this act and shall  
76 perform such other duties as are required in connection therewith.

77 The commission shall have power to compel witnesses to attend  
78 and testify before it upon any matter concerning the retirement  
79 system and allow fees not in excess of \$3.00 to any such witness for  
80 such attendance upon any one day. The president and other mem-  
81 bers of the said pension commission are empowered to administer  
82 oaths to such witnesses. All retirements shall be made and pensions  
83 allowed by the pension commission in accordance with the provi-  
84 sions of this act.

85 The pension commission shall be known as the "Pension Com-  
86 mission of the Employees' Retirement System of (name of county)."

1 2. This act shall take effect immediately.

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#### STATEMENT

This bill would alter the nomination procedures of the county employee members of certain county pension commissions. Currently, the employees are nominated after filing written petitions containing at least 50 signatures of county employee pension members. Due to a decrease in the number of active members, it may be difficult to receive 50 signatures. This bill would alter the signature provision so that the signatures of at least 10% of the active county employee members will be necessary to file a petition for nomination.

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ASSEMBLY COUNTY GOVERNMENT AND  
REGIONAL AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3643

STATE OF NEW JERSEY

DATED: MAY 13, 1985

Assembly Bill No. 3643 would alter the nomination procedures of county employee members to certain county pension commissions.

The provisions of P. L. 1943, c. 160 (C. 43:10-18.1 et seq.) provided for the creation of a pension commission for county employees in counties with populations of more than 800,000 (Essex county is the only county which created such a commission). The commission has five members, two of which are county employee members. The members are nominated after filing written petitions containing at least 50 signatures of county employee pension members. In 1961, the commission became "closed" when the provisions of P. L. 1960, c. 191 required county employees hired after February 14, 1961 to become members of the PERS (Public Employees Retirement System). Since that date, the number of active members in the county pension commission have greatly decreased.

This bill would alter the signature provisions so that the signatures of at least 10% of the active county employee members will be necessary to file a petition for nomination.

The committee reported the bill favorably.

SENATE COUNTY AND MUNICIPAL GOVERNMENT  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 3643**

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**STATE OF NEW JERSEY**

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DATED: NOVEMBER 18, 1985

Assembly Bill No. 3643 amends section 3 of P. L. 1943, c. 160 (C. 43:10-18.3) to alter the signature requirement for nominations to certain county pension commissions.

The provisions of P. L. 1943, c. 160 (C. 43:10-18.1 et seq.) provided for the creation of a county pension fund, to be administered by a county pension fund commission, for county employees in counties with populations of more than 800,000 (Essex county is the only county which created such a commission). Members of the commission are nominated petitions that must contain at least 50 signatures of active pension members. In 1961, c. 191 required new county employees to become members of the Public Employees Retirement System. Since that date, according to the sponsor, the number of active members in the system has decreased.

This bill substitutes for the current requirements of 50 signatures on nominating petitions a requirement that nominations be supported by the signatures of at least 10% of the county employees who are active members on the date written notice of the time and date of the election is provided to county employee members.