

43:15A-8

LEGISLATIVE HISTORY CHECKLIST

NJSA: 43:15A-8 (Public employees--certain--allow reinstatement in PERS if rehired within 10 years)

LAWS OF: 1985

CHAPTER 532

BILL NO: S3436

Sponsor(s): Orechio

Date Introduced: November 18, 1985

Committee: Assembly: -----

Senate: -----

Amended during passage: No

Date of Passage: Assembly: January 13, 1986

Senate: December 9, 1985

Date of Approval: January 21, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: ~~No~~ Yes.

Following were printed:

Reports: No

Hearings: No

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SENATE, No. 3436

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 18, 1985.

By Senator ORECHIO

(Without Reference)

AN ACT concerning the continuation of membership in the Public Employees' Retirement System and amending P. L. 1954, c. 84.

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

1 1. Section 8 of P. L. 1954, c. 84 (C. 43:15A-8) is amended to read
2 as follows:

3 8. a. If a member of the retirement system has been discontinued
4 from service through no fault of his own or through leave of
5 absence granted by his employer or permitted by any law of this
6 State and he has not withdrawn his accumulated deductions, his
7 membership may continue, notwithstanding any provisions of this
8 act if such member returns to service within a period of **[5]** 10
9 years from the date of his discontinuance from service.

10 No credit for pension purposes shall be allowed to such member,
11 covering the period of his discontinuance, unless leave of absence
12 was granted by his employer and the board, as provided for in
13 section 39 of this act.

14 b. If an employee who has withdrawn his accumulated deductions
15 from the former "State Employees' Retirement System" or the
16 retirement system as provided in section 41 of this act is re-enrolled
17 as a member of the retirement system, he may purchase credit for
18 all of his previous membership service by paying into the annuity
19 savings fund the amount required by applying the factor, supplied
20 by the actuary, as being applicable to his age at the time of the
21 purchase, to his salary at that time. Such purchase may be made
22 in regular installments, equal to at least $\frac{1}{2}$ the full normal contri-

**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 bution to the retirement system, over a maximum period of 10
24 years. In order to give to such person the same credit for such
25 service as he had at the time of withdrawal, his pension credit shall
26 be restored as it was at the time of his withdrawal upon the com-
27 pletion of one year of membership after his election to make the
28 purchase and the payment of at least $\frac{1}{2}$ the total amount due,
29 except that in the case of retirement pursuant to sections 38, 41(b),
30 48 and 61, the credit granted for the service being purchased shall
31 be in direct proportion as the amount paid bears to the total
32 amount of the arrearage obligation.

1 2. This act shall take effect immediately.

STATEMENT

This bill allows a member of the Public Employees' Retirement System, who has been discontinued from service through no fault of the member or through a leave of absence granted by the member's employer or permitted by any State law, and who has not withdrawn contributions, to continue membership if the member returns to service within a period of 10 years rather than the period of five years now specified.

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S-1487, sponsored by Senator John Dorsey, R-Morris, to mandate a formula for the calculation of connection fees to be charged to a developer for tapping into a sewerage system or water system.

S-1657, sponsored by Senator John Ewing, R-Somerset, to exempt food management contracts from the bidding requirements for school districts.

S-2350, sponsored by Senator Edward O'Connor, D-Hudson, to make a number of technical changes in the Banking Act of 1948.

S-3436, sponsored by Senator Carmen Orechio, D-Essex, to permit a member of the Public Employees' Retirement System who had discontinued service to retain membership in the system if he returns to service within 10 years and if he has not withdrawn his pension system contribution.

A-2963, sponsored by Assemblywoman Barbara Kalik, D-Burlington, to exempt from the fees imposed by the Worker and Community right to Know Act any employer who certifies that no hazardous substances are located within his facility.

A-3013, sponsored by Assemblyman Harry McEnroe, D-Essex, to permit a municipality acting as a redevelopment agency or a local housing authority to sell property to a private developer without requiring a right of first refusal be given to the municipality.

A-3188, sponsored by Assemblyman Eugene Thompson, D-Essex, to permit omnibuses to be equipped with flashing lights to warn others that an emergency exists on the vehicle.

A-3539, sponsored by Assemblyman John Doyle, D-Ocean, to remove certain municipal and county utilities authorities from the provisions of the Civil Service law.