

43: 16A-1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 43:16A-1

(P & FRS - amend definitions to include certain positions in Div. of Fish, Game & Wildlife)

LAWS OF: 1984

CHAPTER: 57

Bill No: A1954

Sponsor(s): Doyle

Date Introduced: April 30, 1984

Committee: **Assembly:** //////////////

Senate: //////////////

Amended during passage: No

Date of Passage: **Assembly:** May 14, 1984

Senate: May 14, 1984

Date of Approval: June 28, 1984

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

Following were printed:

Reports: No

Hearings: No

ASSEMBLY, No. 1954

STATE OF NEW JERSEY

INTRODUCED APRIL 30, 1984

By Assemblyman DOYLE and Assemblywoman FORD

AN ACT concerning the Police and Firemen's Retirement System
of New Jersey and amending P. L. 1944, c. 255.

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) "Policemen or firemen" 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 or 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 captain,
18 assistant chief, bureau of enforcement, and chief, bureau of enforce-
19 ment in the Division of Motor Vehicles, alcoholic beverage control
20 [investigators] *investigator*, alcoholic beverage control [in-
21 spectors] *inspector*, assistant deputy director, bureau of enforce-
22 ment, and deputy director, bureau of enforcement in the Division

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 of Alcoholic Beverage Control, conservation officer, assistant
 24 district conservation officer, district conservaiton officer [and],
 25 chief conservation officer *and chief, bureau of law enforcement* in
 26 the Division of Fish, Game, and Wildlife, [rangers] *ranger* and
 27 chief ranger in the Bureau of Parks, State fire warden and chief,
 28 assistant chief, division fire warden, assistant division fire warden,
 29 staff section fire warden, and field section fire warden in the Forest
 30 Fire Service, Department of Environmental Protection, chief,
 31 Bureau of Forest Fire Management—State forest fire warden,
 32 supervising forester (fire), principal forester (fire), senior
 33 forester (fire), assistant forester (fire) in the Bureau of Forest Fire
 34 Management, Department of Environmental Protection, marine
 35 patrolman, senior marine patrolman, principal marine patrolman,
 36 and chief, bureau of marine law enforcement, State fire marshal,
 37 deputy State fire marshal, and inspector fire safety, Department of
 38 Law and Public Safety, institution fire chief, and assistant institu-
 39 tion fire chief, Department of Human Services, correction officer,
 40 senior correction officer, correction officer sergeant, correction
 41 officer lieutenant, correction officer captain, and deputy [keepers]
 42 *keeper* in the Department of Corrections, medical security officer,
 43 assistant supervising medical security officer, and supervising
 44 medical security officer in the Department of Human Services,
 45 county detective, lieutenant of county detectives, captain of county
 46 detectives, deputy chief of county detectives, chief of county detec-
 47 tives, supervising auditor-investigator, auditor-investigator, elec-
 48 tronics specialist, traffic safety coordinator-investigator, supervisor
 49 of electronics and investigations, and county investigator in the
 50 office of the county prosecutors, county sheriff, sheriff's officer,
 51 sergeant sheriff's officer, lieutenant sheriff's officer, captain sheriff's
 52 officer, chief sheriff's officer, and sheriff's investigator in the office
 53 of the county sheriffs, county correction officer, county correction
 54 sergeant, county correction lieutenant, county correction captain,
 55 and county deputy warden in the several county jails, industrial
 56 trade instructor and identification officer in a county of the first
 57 class having a population of more than 850,000 inhabitants, cottage
 58 officer, head cottage officer, interstate escort officer, juvenile officer,
 59 head juvenile officer, assistant supervising juvenile officer, super-
 60 vising juvenile officer, patrolman [capital] *capitol* police, patrol-
 61 man institutions, sergeant patrolman institutions, and supervising
 62 patrolman institutions and patrolman or other police officer of the
 63 Board of Commissioners of the Palisades Interstate Park
 64 appointed pursuant to R. S. 32:14-21.

65 (3) "Member" shall mean any policeman or fireman included

66 in the membership of the retirement system as provided in section
67 3 of this act.

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

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

72 (6) "Employer" shall mean the State of New Jersey, the county,
73 municipality or political subdivision thereof which pays the par-
74 ticular policeman or fireman.

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

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

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

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

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

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

93 (13) "Retirement allowance" shall mean the pension plus the
94 annuity.

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

101 (15) "Average final compensation" shall mean the average
102 annual salary upon which contributions are made for the three years
103 of creditable service immediately preceding his retirement or death,
104 or it shall mean the average annual salary for which contributions
105 are made during any three fiscal years of his or her membership
106 providing the largest possible benefit to the member or his benefi-
107 ciary.

108 (16) "Retirement" shall mean the termination of the member's

109 active service with a retirement allowance granted and paid under
110 the provisions of this act.

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

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

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

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

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

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

140 (23) "Widower" shall mean the man to whom a member or
141 retirant was married at least two years before the date of her
142 death and to whom she continued to be married until the date of her
143 death and who was receiving at least one-half of his support from
144 the member or retirant in the 12-month period immediately preced-
145 ing the member's or retirant's death or the accident which was the
146 direct cause of the member's death. The dependency of such a
147 widower will be considered terminated by marriage of the widower
148 subsequent to the death of the member or retirant. In the event of
149 the payment of an accidental death benefit, the two year qualifica-
150 tion shall be waived.

151 (24) ~~["Widower"]~~ "Widow" shall mean the woman to whom a

152 member or retirant was married at least two years before the date
153 of his death and to whom he continued to be married until the date
154 of his death and who has not remarried. In the event of the pay-
155 ment of an accidental death benefit, the two-year qualification shall
156 be waived.

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

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

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

170 (28) "Final compensation" means the compensation received by
171 the member in the last 12 months of creditable service preceding
172 his retirement. **□□**

1 2. This act shall take effect immediately.

STATEMENT

This bill amends the definition of "policemen or firemen" in the Police and Firemen's Retirement System of New Jersey to include the position of chief, bureau of law enforcement in the Division of Fish, Game and Wildlife in the Department of Environmental Protection. This new title replaced the title of chief conservation officer with a continuation of the essential job functions of the previous position.

The bill also makes several technical corrections which have been proposed and are now awaiting the concurrence of the Attorney General under R. S. 1:3-1.

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