

18A:66 - 170

LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A:66-170, 18A:66-170.2, 18A:66-174

(Higher education employees-eligibility for alternate benefits program-retain if transferred or promoted)

LAWS OF: 1984

CHAPTER: 200

Bill No: S1227

Sponsor(s): Feldman

Date Introduced: February 6, 1984

Committee: Assembly: Higher Education and Regulated professions

Senate: -----

Amended during passage: Yes Amendments during passage denoted by asterisks

Date of Passage: Assembly: May 17, 1984

Senate: February 27, 1984

Date of Approval: November 28, 1984

Following statements are attached if available:

Sponsor statement: Yes (Below) Also attached Assembly amendments, adopted 5-7-84 (with statement)

Committee statement: Assembly Yes

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

Sponsors' statement:

(OVER)

This bill would allow employees who are in the alternate benefits program to remain in that program if they are transferred or promoted to a position which is not otherwise eligible for the program. It applies to all public institutions of higher education.

11-28-84

[OFFICIAL COPY REPRINT]

SENATE, No. 1227

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 6, 1984

By Senator FELDMAN

(Without Reference)

AN ACT concerning the alternate benefit program and amending
and supplementing P. L. 1969, c. 242.

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

1 1. Section 4 of P. L. 1969, c. 242 (C. 18A:66-170) is amended to
2 read as follows:

3 4. All full-time officers and all full-time members of the faculty
4 of the **[New Jersey College]** *University of Medicine and Dentistry*
5 *of New Jersey*, Rutgers, The State University, the Newark College
6 of Engineering, the State and county colleges and all regularly
7 appointed teaching and administrative staff members in applicable
8 **[academic]** positions as determined by the Board of Higher Educa-
9 tion, shall be eligible and shall participate in the alternate benefit
10 program except those persons appointed in a part-time or tempo-
11 rary capacity, physicians and dentists holding employment in posi-
12 tions titled intern, resident or fellow on or after the effective date
13 of this amendatory act, persons compensated on a fee basis, persons
14 temporarily in the United States under an F or J visa and members
15 of the Teachers' Pension and Annuity Fund, the Public Employees'
16 Retirement System, the Police and Firemen's Retirement System
17 or the Group Annuity Plan who did not elect to transfer to the
18 alternate benefit program in accordance with the provisions of
19 chapter 64C or 65 of Title 18A of the New Jersey Statutes, P. L.
20 1967, c. 278 (C. 18:66-130 et seq.), or c. 281 (C. 18A:66-142 et seq.),
21 or P. L. 1968, c. 181 (C. 18A:66-154 et seq.). *An eligible person*
22 *who has been enrolled in the alternate benefit program for at least*

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:

*—Assembly amendments adopted May 7, 1984.

23 *one year pursuant to this section may continue to be enrolled in the*
 24 *program, notwithstanding promotion or transfer to a position*
 25 *within the institution not otherwise eligible for the program.*

26 Any person participating in the alternate benefit program shall
 27 be ineligible for membership in the Teachers' Pension and Annuity
 28 Fund, the Public Employees' Retirement System, the Police and
 29 Firemen's Retirement System or the Group Annuity Plan and any
 30 person electing to participate in the alternate benefit program shall
 31 thereby waive all rights and benefits provided by the Teachers'
 32 Pension and Annuity Fund, the Public Employees' Retirement
 33 System, the Police and Firemen's Retirement System or the Group
 34 Annuity Plan as a member of said fund, system or plan except as
 35 herein and otherwise provided by law or under terms of the Group
 36 Annuity Plan.

37 Any person required to participate in the alternate benefit pro-
 38 gram by reason of employment, who at the time of such employ-
 39 ment is a member of the Teachers' Pension and Annuity Fund,
 40 shall be permitted to transfer his membership in said fund to the
 41-42 Public Employees' Retirement System, by waiving all rights and
 43 benefits which would otherwise be provided by the alternate benefit
 44 program. Any such new employee who is a member of the Public
 45 Employees' Retirement System will be permitted to continue his
 46 membership in that system, by waiving all rights and benefits
 47 which would otherwise be provided by the alternate benefit pro-
 48 gram. Such waivers shall be accomplished by filing forms satisfac-
 49 tory to the Division of Pensions within 30 days of the beginning
 50 date of employment.

51 Any person receiving a benefit by reason of his retirement from
 52 any retirement or pension system of the State of New Jersey or
 53 any political subdivision thereof shall be ineligible to participate
 54 in the alternate benefit program.

55 No person eligible for participation in the alternate benefit pro-
 56 gram shall be eligible for, or receive, benefits under chapters 4 and
 57 8B of Title 43 of the Revised Statutes.

58 The alternate benefit programs established pursuant to this act
 59 are deemed to be pension funds or retirement systems for purposes
 60 of [chapter 23 of the laws of] *P. L. 1963, c. 23 (C. 43:3C-1 et seq.)*.

1 2. Section 8 of P. L. 1969, c. 242 (C. 18A:66-174) is amended to
 2 read as follows:

3 8. (a) The [College] *University of Medicine and Dentistry of*
 4 *New Jersey, Rutgers, The State University and the Newark College*
 5 *of Engineering shall deduct from or with the consent of the partici-*
 6 *pant, reduce the compensation of each participant in the alternate*

7 benefit program and pay over to the insurer or insurers for the
8 benefit of the participant an employee contribution for the retire-
9 ment annuity contract or contracts equal to 5% of the participant's
10 base salary. The intervals for deductions or reductions and pay-
11 ments shall be determined by the respective school governing
12 bodies.

13 The Division of Pensions shall deduct from or with the consent
14 of the participant, provide for reductions from the compensation
15 of each participant in the alternate benefit program employed by
16 the Department of Higher Education, the State and county colleges
17 of an employee contribution equal to 5% of the participant's base
18 salary and pay this amount to the insurer or insurers for the
19 individual's retirement annuity contract or contracts. The intervals
20 for deductions or reductions and payments shall be determined by
21 the Division of Pensions.

22 (b) Based on a certification to the Division of Pensions by the
23 **[College]** *University of Medicine and Dentistry of New Jersey,*
24 *Rutgers, The State University and the Newark College of Engi-*
25 *neering* of the number and base salary of participants, the division
26 shall authorize the State to make payment of the employer contri-
27 butions to the alternate benefit programs at a rate equal to the
28 normal contribution made by the State on behalf of nonveteran
29 members of the Public Employees' Retirement System, which
30 moneys shall be paid to the designated insurer or insurers for the
31 benefit of each participant.

32 Based on a certification by the Division of Pensions of the
33 number and base salary of participants employed by the Depart-
34 ment of Higher Education, the State and county colleges, the State
35 shall make payment of the employer contributions to the alternate
36 benefit program at a rate equal to the normal contribution made
37 by the State on behalf of nonveteran members of the Public Em-
38 ployees' Retirement System, which moneys shall be paid to the
39 designated insurer or insurers for the benefit of each participant.

40 (c) For the member of the Public Employees' Retirement System
41 employed by the county colleges who is defined in the regulations
42 of the Board of Higher Education as a full-time faculty member
43 and who is permitted to transfer his membership or continue
44 membership in that State program, as the case may be, the State
45 shall pay the employer contribution to the retirement system on
46 his behalf and such employer contribution shall be at a rate equal
47 to the normal contribution made by the State on behalf of non-
48 veteran members of the Public Employees' Retirement System.

49 (d) *For any nonacademic employee of a county college *as de-*

49A *fined in section 4 of P. L. 1969, c. 242 (C. 18A:66-170)* who is*
50 *eligible for the program according to the regulations of the Board*
51 *of Higher Education, the county college shall pay the employer*
52 *contribution to the retirement system on the employee's behalf*
53 **[and the employer contribution is at a rate equal to the normal*
54 *contribution made by the State on behalf of a nonveteran member*
55 *of the Public Employees' Retirement System]* *in the same man-*
56 *ner as the State pursuant to this section*.*

1 3. (New section) Any employee enrolled in the alternate benefit
2 program who is subsequently deemed to be eligible for enrollment
3 by the Board of Higher Education pursuant to this act is per-
4 mitted to continue his participation in the program from the date
5 of his original enrollment.

1 4. This act shall take effect immediately.

50 *eligible for the program according to the regulations of the Board*
51 *of Higher Education, the county college shall pay the employer*
52 *contribution to the retirement system on the employee's behalf and*
53 *the employer contribution is at a rate equal to the normal contribu-*
54 *tion made by the State on behalf of a nonveteran member of the*
55 *Public Employees' Retirement System.*

1 3. (New section) Any employee enrolled in the alternate benefit
2 program who is subsequently deemed to be eligible for enrollment
3 by the Board of Higher Education pursuant to this act is per-
4 mitted to continue his participation in the program from the date
5 of his original enrollment.

1 4. This act shall take effect immediately.

STATEMENT

This bill would allow employees who are in the alternate benefit program to remain in that program if they are transferred or promoted to a position which is not otherwise eligible for the program. It applies to all public institutions of higher education.

51227 (1984)

ASSEMBLY HIGHER EDUCATION AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

SENATE, No. 1227

STATE OF NEW JERSEY

DATED: MARCH 15, 1984

This bill amends current law to provide that persons who are enrolled in the alternate benefit program for at least one year may continue to participate in the program when transferred or promoted to a position within the institution which is not otherwise eligible for the alternate benefit program. The bill applies to all public institutions of higher education.

The bill also provides that if any nonacademic employee of a county college is determined to be eligible for the alternate benefit program according to the regulations of the State Board of Higher Education, the county college will pay the employer contribution. Normally, such nonacademic employees are enrolled in the Public Employees' Retirement System under which the county college would also be paying the employer contribution.

ok
VPL

ADOPTED
MAY 7 1984

to

Senate

Bill No. 1227

Amend:

Page	Sec.	Line
3	2	49
4	2	52-55
4	2	53-55
1	1	19

After "college" insert "as defined in section 4 of this act" *(P.L. 1969, c. 272 (C. 18A:66-170))*

Delete "and" after "~~behalf~~" insert "in the same manner as the state pursuant to R.S. 18A:66-174"

~~Delete in their entirety-~~

this section

STATEMENT

These amendments are technical in nature and clarify the county colleges' responsibility for full funding of the employer's share pursuant to statute.

on line 52, omit lines 53-54 and omit "Public Employees' Retirement System" on line 55 and

correct "chapters" to "chapter" in roman