

53:5A-8

LEGISLATIVE HISTORY CHECKLIST

NJSA: 53:5A-8 (State Police Retirement System -- eliminate mandatory retirement age)

LAWS OF: 1983

CHAPTER: 448

Bill No: A3566

Sponsor(s): Jackman and others

Date Introduced: June 13, 1983

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

Senate: State Government, Federal & Interstate Relations and Veterans Affairs

Amended during passage: No

Date of Passage: **Assembly:** September 15, 1983

Senate: December 12, 1983

Date of Approval: January 9, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** No

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

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ASSEMBLY, No. 3566

STATE OF NEW JERSEY

INTRODUCED JUNE 13, 1983

By Assemblymen JACKMAN, D. GALLO, KARCHER, LITTELL, VISOTCKY, MARKERT, ZANGARI, HAYTAIAN, T. GALLO, KELLY, COWAN, ROD, JANISZEWSKI, Assemblywoman MUHLER, Assemblymen PATERO, WEIDEL, PATERNITI, KAVANAUGH, OTLOWSKI, McENROE, FORTUNATO, SMITH, PALAIA, BAER, HOLLENBECK, KERN, FELICE, GILL, GIRGENTI, PELLECCIA, ROCCO, CHARLES, SCHUBER, KOSCO, DORIA, LESNIAK, MATTHEWS, NAPLES, MAZUR, BRYANT, MARSELLA, RILEY, THOMPSON, PANKOK, Assemblywoman COSTA, Assemblymen ADUBATO, SCHWARTZ, Assemblywoman PERUN, Assemblymen PELLY, VILLANE, MILLER, Assemblywoman BROWN, Assemblymen BISHOP and GORMAN

AN ACT to amend the "State Police Retirement System Act," approved June 9, 1965 (P. L. 1965, c. 89).

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

1 1. Section 8 of P. L. 1965, c. 89 (C. 53:5A-8) is amended to read
2 as follows:

3 8. a. Any member of the retirement system [who was a member
4 of the former "State Police Retirement and Benevolent Fund" on
5 June 30, 1965,] may retire on a service retirement allowance upon
6 [the attainment of age 50 years and] the completion of at least 20
7 years of creditable service as a State policeman. Upon the filing
8 of a written and duly executed application with the retirement
9 system, setting forth at what time, not less than one month, subse-
10 quent to the filing thereof he desires to be retired, any such mem-

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.

11 ber retiring for service shall receive a service retirement allowance
12 which shall consist of:

13 (1) An annuity which shall be the actuarial equivalent of his
14 aggregate contributions and

15 (2) A pension in the amount which, when added to the member's
16 annuity, will provide a total retirement allowance of 50% of his
17 final compensation [plus 1% of his final compensation multiplied by
18 his number of years of creditable service which exceed 25 years of
19 such service.

20 Except for the Superintendent of State Police, any member of
21 the retirement system who was a member of the former "State
22 Police Retirement and Benevolent Fund" on June 30, 1965, who
23 has completed at least 25 years of creditable service and who has
24 reached the age of 55 years shall be retired forthwith on the first
25 day of the next calendar month, provided, however, any member
25A who has not completed 25 years of creditable service shall not be
25B required to retire on account of age until he has met the service
25C requirement].

26 b. [Except for the Superintendent of State Police, any member
27 of the retirement system who was not a member of the former
28 "State Police Retirement and Benevolent Fund" on June 30, 1965
29 who has attained the age of 55 years shall be retired forthwith on
30 the first day of the next calendar month provided, however, such
31 member, at his option, may continue in the employment of the
32 Division of State Police until he has completed 25 years of credit-
33 able service whereupon he shall be retired forthwith on the first
34 day of the next calendar month. Any such member, including the
35 superintendent, having attained at least the age of 55 years and
36 retiring for service hereunder shall receive a service retirement
37 allowance which shall consist of:

38 (1) An annuity which shall be the actuarial equivalent of his
39 aggregate contributions and

40 (2) A pension in the amount which when added to the member's
41 annuity will provide a total retirement allowance of 2% of his final
42 compensation multiplied by his number of years of creditable ser-
43 vice up to 25 plus 1% of his final compensation, multiplied by his
44 number of years of creditable service over 25.] (*Deleted by amend-*
45 *ment, P. L. , c. .*)

46 c. Upon the receipt of proper proofs of the death of a member
47 who has retired on a service retirement allowance, there shall be
48 paid to the member's beneficiary, an amount equal to one-half of
49 the final compensation received by the member.

1 2. This act shall take effect immediately.

STATEMENT

This bill eliminates all reference to mandatory retirement ages in the State Police Retirement System, in conformance with the federal Age Discrimination in Employment Act of 1967, the constitutionality of which was recently upheld by the U.S. Supreme Court in *EEOC v. Wyoming*, 103 S.Ct. 1054 (decided March 2, 1983). The bill also eliminates distinctions in retirement options previously in effect between troopers who were in the old retirement system and those in the current system.

A3566 (1983)

SENATE STATE GOVERNMENT, FEDERAL AND
INTERSTATE RELATIONS AND VETERANS AFFAIRS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 3566

STATE OF NEW JERSEY

DATED: DECEMBER 5, 1983

This bill allows a member of the State Police Retirement System to retire with an allowance at the completion of 20 years of service, no matter what his age. The bill also eliminates references to mandatory retirement ages for members of the system.

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BILLS

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TUESDAY, JANUARY 10, 1984

A-3191, sponsored by Assemblyman John P. Doyle, D-Ocean, which makes explicit that the definition of "multiple dwelling" under the Hotel and Multiple Dwelling Law shall include certain complexes of ten or more detached structures on one parcel of land or on contiguous parcels under common ownership.

A-3566, sponsored by Assemblyman Christopher J. Jackman, D-Hudson, which eliminates all references to mandatory retirement ages in the State Police Retirement System.

S-3158, sponsored by State Senator Carmen A. Orechio, D-Essex, which waives the training requirements for persons with ten or more years of experience in any position allowed to opt over to be sheriffs officers.

A-3328, sponsored by Assemblywoman Maureen B. Ogden, R-Essex, which clarifies the meaning of "municipality" as used in the Recycling Act to apply only to municipalities situated within the boundaries of New Jersey.

A-4057, sponsored by Assemblyman Alan J. Karcher, D-Middlesex, which permits secondary mortgage loan companies to make open-ended loans.

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