

52:14-17.26

LEGISLATIVE HISTORY CHECKLIST

WJSA 52:14-17.26 (Institute of Technology - Employee Health Benefits)

LAWS OF 1979 CHAPTER 90

Bill No. A1752

Sponsor(s) Hollenbeck

Date Introduced Oct. 19, 1978

Committee: Assembly St. Gov't., Federal & Interstate Relations & Veterans Affairs
Senate " "

Amended during passage Yes Amendments during passage denoted by asterisks

Date of Passage: Assembly Jan. 11, 1979

Senate April 23, 1979

Date of approval May 15, 1979

Following statements are attached if available:

Sponsor statement	Yes	<input checked="" type="checkbox"/>
Committee Statement:	Assembly	<input checked="" type="checkbox"/>
	Senate	<input checked="" type="checkbox"/> No
Fiscal Note	<input checked="" type="checkbox"/>	No
Veto message	<input checked="" type="checkbox"/>	No
Message on signing	Yes	<input checked="" type="checkbox"/>

Following were printed:

Reports	<input checked="" type="checkbox"/>	No
Hearings	<input checked="" type="checkbox"/>	No

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ASSEMBLY, No. 1752

STATE OF NEW JERSEY

INTRODUCED OCTOBER 19, 1978

By Assemblymen HOLLENBECK, VISTOCKY, SCHUCK and
JACKMAN

Referred to Committee on State Government, Federal and
Interstate Relations and Veterans Affairs

AN ACT to extend certain benefits to employees of the New Jersey
Institute of Technology and amending ***[P. L. 1954, c. 84 and]***
P. L. 1961, c. 49.

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

1 ***[**1. Section 73 of P. L. 1954, c. 84 (C. 43:15A-73) is amended to
2 read as follows:

3 73. a. The Public Employees' Retirement System is hereby
4 authorized and directed to enroll eligible employees of the New
5 Jersey Turnpike Authority, the New Jersey Highway Authority,
6 Palisades Interstate Park Commission, Interstate Sanitation Com-
7 mission, the Delaware River Basin Commission and the Delaware
8 River Joint Toll Bridge Commission.

9 In the case of the Delaware River Joint Toll Bridge Commission,
10 the eligible employees shall be only those who are employed on the
11 free bridges across the Delaware river, under the control of said
12 commission.

13 The said employees shall be subject to the same membership, con-
14 tribution and benefit provisions of the retirement system as State
15 employees.

16 b. The State University of New Jersey, as an instrumentality
17 of the State *and the New Jersey Institute of Technology, during*
18 *such time as the Trustees of the Institute are party to a contractual*
19 *agreement with the State Board of Higher Education for the*
20 *provision of educational services, shall, for all purposes of this*
21 *act, be deemed an employer and its eligible employees, both veterans*
22 *and nonveterans, shall be subject to the same membership, con-*
23 *tribution and benefit provisions of the retirement system and to*
24 *the provisions of chapter 3 of Title 43 of the Revised Statutes as*

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

25 are applicable to State employees and for all purposes of this act
26 employment by the State University of New Jersey after April
27 16, 1945, and for the purposes of chapter 3 of Title 43 of the Revised
28 Statutes any new employment after January 1, 1955, shall be
29 deemed to be and shall be construed as service to and employment
30 by the State of New Jersey.

31 c. The Compensation Rating and Inspection Bureau, created and
32 established pursuant to the provisions of R. S. 34:15-89, shall, for
33 all purposes of this act, be deemed an employer and its eligible em-
34 ployees, both veterans and nonveterans, shall be subject to the same
35 membership, contribution and benefit provisions of the retirement
36 system and to the provisions of chapter 3 of Title 43 of the Revised
37 Statutes as both are applicable to State employees.

38 The retirement system shall certify to the Commissioner of In-
39 surance and the Commissioner of Insurance shall direct the Com-
40 pensation Rating and Inspection Bureau to provide the necessary
41 payments to the retirement system in accordance with procedures
42 established by the retirement system. Such payments shall in-
43 clude (1) the contributions and charges, similar to those paid by
44 other public agency employers, to be paid by the Compensation
45 Rating and Inspection Bureau to the retirement system on behalf
46 of its employee members, and (2) the contributions to be paid by
47 the Compensation Rating and Inspection Bureau to provide the
48 past service credits up to June 30, 1965 for these members, both
49 veterans and nonveterans, who enroll before July 1, 1966.

50 d. The New Jersey Sports and Exposition Authority, created
51 and established pursuant to the "New Jersey Sports and Exposi-
52 tion Authority Law," P. L. 1971, c. 137 (C. 5:10-1 et seq.) shall for
53 all purposes of this act, be deemed an employer and its eligible
54 employees both veterans and nonveterans, shall be subject to the
55 same membership, contribution and benefit provisions of the retire-
56 ment system and to the provisions of chapter 3 of Title 43 of the
57 Revised Statutes as are applicable to State employees.

58 (1) Eligible employees as used herein shall not include persons
59 who are not classified as salaried, or who are compensated on an
60 hourly or per diem basis, or whose employment is normally covered
61 by other retirement systems to which the authority makes contribu-
62 tions.

63 (2) Eligible employees previously permitted to enroll in the re-
64 tirement system shall redeposit the contributions previously made
65 by them and all service credit shall then be restored and future
66 contributions made at the rate of contribution as originally as-
67 signed. The authority shall redeposit the employer payments it
68 had made, with interest to the date of redeposit.]*

1 ***[2.]*** *1.* Section 2 of P. L. 1961, c. 49 (C. 52:14-17.26) is
2 amended to read as follows:

3 2. As used in this act

4 (a) The term "State" means the State of New Jersey.

5 (b) The term "commission" means the State Health Benefits
6 Commission, created by section 3 of this act.

7 (c) The term "employee" means an appointive or elective officer
8 or full-time employee of the State of New Jersey. For the purposes
9 of this act an employee of Rutgers, The State University of New
10 Jersey, shall be deemed to be an employee of the State***[.]**. *For the*
11 *purposes of this act** *, *and* an employee of the New Jersey Insti-*
12 *tute of Technology shall be considered to be an employee of the*
13 *State during such time as the Trustees of the Institute are party to*
14 *a contractual agreement with the State Board of Higher Education*
15 *for the provision of educational services. For the purposes of this*
16 *act the term "employee" shall not include persons employed on a*
17 *short-term, seasonal, intermittent or emergency basis, persons*
18 *compensated on a fee basis, persons having less than 2 months*
19 *of continuous service or persons whose compensation from the*
20 *State is limited to reimbursement of necessary expenses actually*
21 *incurred in the discharge of their official duties. An employee paid*
22 *on a 10-month basis, pursuant to an annual contract, will be deemed*
23 *to have satisfied the 2-month waiting period if he begins employ-*
24 *ment at the beginning of the contract year. The term "employee"*
25 *shall also not include persons, active or retired, who are otherwise*
26 *eligible for benefits under this act but who, although they meet*
27 *the age eligibility requirement of the Federal medicare program,*
28 *are not covered by the complete Federal program. A determination*
29 *by the commission that a person is an eligible employee within the*
30 *meaning of this act shall be final and shall be binding on all parties.*

31 (d) The term "dependents" means an employee's spouse and
32 the employee's unmarried children under the age of 23 years who
33 live with the employee in a regular parent-child relationship.
34 "Children" shall include stepchildren, legally adopted children and
35 foster children provided they are reported for coverage and are
36 wholly dependent upon the employee for support and maintenance.
37 A spouse or child enlisting or inducted into military service shall
38 not be considered a dependent during such military service. The
39 term "dependents" shall not include spouses of persons, active
40 or retired, who are otherwise eligible for the benefits under this
41 act but who, although they meet the age eligibility requirement
42 of the Federal medicare program, are not covered by the complete
43 Federal program.

44 (e) The term "carrier" means a voluntary association, corpora-
45 tion or other organization which is lawfully engaged in providing
46 or paying for or reimbursing the cost of, personal health services,
47 including hospitalization, medical and surgical services, under
48 insurance policies or contracts, membership or subscription con-
49 tracts, or the like, in consideration of premiums or other periodic
50 charges payable to the carrier.

51 (f) The term "hospital" means (1) an institution operated
52 pursuant to law which is primarily engaged in providing on its own
53 premises, for compensation from its patients, medical diagnostic
54 and major surgical facilities for the care and treatment of sick and
55 injured persons on an inpatient basis, and which provides such
56 facilities under the supervision of a staff of physicians and with 24
57 hour a day nursing service by registered graduate nurses, or (2)
58 an institution not meeting all of the requirements of (1) but which
59 is accredited as a hospital by the Joint Commission on Accredita-
60 tion of Hospitals. In no event shall the term "hospital" include
61 a convalescent nursing home or any institution or part thereof
62 which is used principally as a convalescent facility, residential
63 center for the treatment and education of children with mental dis-
64 orders, rest facility, nursing facility or facility for the aged or for
65 the care of drug addicts or alcoholics.

1 ***[3.]*** *2.* This act shall take effect immediately.

44 (e) The term "carrier" means a voluntary association, corpora-
 45 tion or other organization which is lawfully engaged in providing
 46 or paying for or reimbursing the cost of, personal health services,
 47 including hospitalization, medical and surgical services, under
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 53 premises, for compensation from its patients, medical diagnostic
 54 and major surgical facilities for the care and treatment of sick and
 55 injured persons on an inpatient basis, and which provides such
 56 facilities under the supervision of a staff of physicians and with 24
 57 hour a day nursing service by registered graduate nurses, or (2)
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 62 which is used principally as a convalescent facility, residential
 63 center for the treatment and education of children with mental dis-
 64 orders, rest facility, nursing facility or facility for the aged or for
 65 the care of drug addicts or alcoholics.

1 3. This act shall take effect immediately.

STATEMENT

The New Jersey Institute of Technology (NJIT) provides educa-
 tional services to the State of New Jersey under a contract with
 the Board of Higher Education. A portion of the moneys derived
 from this contract are utilized by NJIT to provide health benefits
 for its employees. This legislation will place NJIT employees
 within the State employees health benefits program. By including
 NJIT employees with all State employees their health benefits can
 be purchased at a lower group rate. The State of New Jersey
 will consequently realize savings in its annual contract with NJIT.

NJIT non-faculty employees are currently enrolled in the Public
 Employees' Retirement System. The statutory authority for such
 enrollment is unclear. The purpose of this legislation is also to
 clarify and authorize the enrollment of non-faculty employees of
 NJIT in the Public Employees' Retirement System. These em-
 ployees are not covered by any other pension program. There is
 no increased cost to the State by this legislation because the State
 currently provides a contribution for pension benefits for these
 employees through its contract with NJIT.

A1752 (1979)

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

STATEMENT TO
ASSEMBLY, No. 1752
with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 9, 1979

SPONSOR'S STATEMENT:

The New Jersey Institute of Technology (NJIT) provides educational services to the State of New Jersey under a contract with the Board of Higher Education. A portion of the moneys derived from this contract are utilized by NJIT to provide health benefits for its employees. This legislation will place NJIT employees within the State employees health benefits program. By including NJIT employees with all State employees their health benefits can be purchased at a lower group rate. The State of New Jersey will consequently realize savings in its annual contract with NJIT.

NJIT non-faculty employees are currently enrolled in the Public Employees' Retirement System. The statutory authority for such enrollment is unclear. The purpose of this legislation is also to clarify and authorize the enrollment of non-faculty employees of NJIT in the Public Employees' Retirement System. These employees are not covered by any other pension program. There is no increased cost to the State by this legislation because the State currently provides a contribution for pension benefits for these employees through its contract with NJIT.

COMMITTEE STATEMENT:

The committee amended this bill to delete the section placing certain NJIT employees in the Public Employees' Retirement System as State employees. (At present, they are enrolled in PERS as local employees.) This action was taken because it was not clear that there would, in fact, be "no increased cost to the State. . . ." It was felt that this matter could be explored further and handled in separate legislation if necessary.

MAY 15, 1979

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

KATHRYN FORSYTH

Governor Brendan Byrne today signed into law the following bills:

A-867, sponsored by Assemblyman Walter M. D. Kern, Jr. (R-Bergen) which requires a creditor to inform a consumer of his credit balance at the end of the first billing cycle in which the balance was posted, and, thereafter, at least once in every three billing cycles.

Under the bill, the creditor must refund the full amount of the credit balance within 30 days of receiving a request for refund from the consumer.

In cases in which there is a credit balance and there has been no activity for six consecutive billing cycles, the creditor must refund the amount of credit within 30 days.

A-868, also sponsored by Assemblyman Kern, which provides that consumer credit balances which remain unclaimed for five years will escheat to the state.

A-1657, also sponsored by Assemblyman Kern, which would validate any deed which has been recorded for five or more years, which is otherwise valid, despite a defect in the acknowledgement or proof of such deed.

The bill would not apply to any deed which is the subject of a court proceeding already in progress or which is instituted within 30 days after the bill's signing.

A-1752, sponsored by Assemblyman Robert P. Hollenbeck (D-Bergen) which places employees of the New Jersey Institute of Technology within the state employees health benefits program.

This is a Byrne Administration-proposed measure.

NJIT provides educational services to the State of New Jersey under a contract with the Board of Higher Education. Since the health benefits for NJIT's approximately 500 employees are not budgeted for in the state's central health benefits account, the Institute uses a portion of the funds derived from the contract to provide the health benefits.

By including NJIT employees with all other state employees, the health benefits can be purchased at a lower group rate and the state will consequently realize a savings in its annual contract with NJIT. ()

S-999, the "Omnibus Corrections Bill", sponsored by Senator Joseph P. Merlino (D-Mercer) which amends various statutes to correct technical errors, inadvertently made, in prior enactments.

Governor Byrne conditionally vetoed the bill on April 5 because of a change in the sales tax law relating to the sale of food and beverages through coin-operated vending machines. The Legislature concurred in the conditional veto and re-passed the legislation.