

43:3C-3

LEGISLATIVE HISTORY CHECKLIST

NJSA 43:3C-3 (Retirees from Public Employment--some may seek elective office)

Laws of 1977 Chapter 171

Bill No. A1940

Sponsor(s) Hurley and others

Date Introduced May 20, 1976

Committee: Assembly State Gov't, Federal and Interstate Relations

Senate State Gov't, Federal and Interstate Relations & Veterans Affairs

Amended during passage Yes xNo Amendments during passage denoted by asterisks

Date of passage: Assembly June 21, 1976

Senate February 17, 1977

Date of approval August 11, 1977

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

10/4/76

171  
8/11/77

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**ASSEMBLY, No. 1940**

**STATE OF NEW JERSEY**

INTRODUCED MAY 20, 1976

By Assemblymen HURLEY, CHINNICI, SPIZZIRI and  
Assemblywoman BURGIO

Referred to Committee on State Government, Federal and  
Interstate Relations

A SUPPLEMENT to "An act concerning pensioners in public employment and repealing chapter 3 of Title 43 of the Revised Statutes," approved April 26, 1968 (P. L. 1968, c. 23).

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

1 1. Notwithstanding any other law to the contrary, if a former  
2 member of any pension fund or retirement system, contributory  
3 or noncontributory, established under any law of this or any other  
4 state, who has been granted a pension or retirement allowance for  
5 any cause other than vesting or deferred retirement, becomes em-  
6 ployed again in an elected public office, other than the same or a  
7 comparable position to that from which he was retired, which makes  
8 him eligible to be a member of the same or any other pension fund  
9 or retirement system established under any law of this State, such  
10 person shall not be reenrolled in the same fund or system or  
11 enrolled in such other pension fund or retirement system if he is  
12 eligible to receive such pension or retirement allowance, but rather  
13 such person shall be entitled to receive said pension or retirement  
14 allowance and any death benefit as a result of his former member-  
15 ship irrespective of his position as an elected public officer.

16 If such a former member has been reenrolled or enrolled in any  
17 such pension fund or retirement system as of the effective date of  
18 this act, his membership in such \***[other]**\* fund or system shall be  
19 hereby terminated and he or his beneficiary shall be permitted to  
20 receive a refund of his contributions to such fund or system upon

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

21 the filing of a proper application therefor. \***¶**The provisions of this  
22 supplemental act shall be applicable only to retired employees and  
23 to employees on accidental disability who are elected to public  
24 office.**¶**\*

1 2. This act shall take effect immediately.

A1940 (1977)

STATEMENT

This bill permits certain public employees to accept an elected public office after retirement on pension; it is in accordance with Governor Byrne's recent comments on the subject when he was questioned about his pocket veto of Senate Bill No. 3272 of 1975— which would have allowed public employees to accept other public employment after retirement on pension. Governor Byrne expressed a desire that such legislation be limited to permitting retired public employees to run for and hold elected public office.

ASSEMBLY STATE GOVERNMENT, FEDERAL AND  
INTERSTATE RELATIONS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1940**

with Assembly committee amendments

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**STATE OF NEW JERSEY**

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DATED: MAY 27, 1976

As the sponsor's statement indicates, this bill permits retired public employees to accept an elected public office without relinquishing their pension.

The committee amended the bill to remove certain language that created confusion and was unnecessary.

REFERENCE USE ONLY

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

STATEMENT TO  
**ASSEMBLY, No. 1940**

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**STATE OF NEW JERSEY**

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DATED: JANUARY 17, 1977

This bill supplements Title 43 of the Revised Statutes to permit certain members of retirement systems established under the laws of the State to keep their pension or retirement allowance and serve as elected public officers.

The bill will mainly effect municipal governments and has the strong support of the League of Municipalities.