

2A: 1A-6

LEGISLATIVE HISTORY CHECKLIST

HISA 2A:1A-6; 43:6A-3 (Judiciary--Salary increase)

LAWS OF 1977 CHAPTER 317

Bill No. S3486

Sponsor(s) Merlino

Date Introduced December 1, 1977

Committee: Assembly

Senate

Amended during passage Yes

Substituted for A3635 (enclosed). Amendments during passage denoted by asterisks.

Date of Passage: Assembly January 9, 1978

Senate January 5, 1978

Date of approval January 10, 1978

Following statements are attached if available:

Sponsor statement Yes (Below)

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

Hearings ~~Yes~~ No

Sponsor's statement:

This bill increases the salaries of the justices and judges of the State and county courts.

(over)

9/1/78

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APPROVED 1/10/78
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SENATE, No. 3486

STATE OF NEW JERSEY

INTRODUCED DECEMBER 1, 1977

By Senator MERLINO

(Without Reference)

AN ACT to amend "An act concerning the annual salaries of the justices and judges of State and county courts and the establishment of salary ranges for certain offices and positions in the judicial branch of the State Government, and repealing P. L. 1970, c. 105," approved June 28, 1974 (P. L. 1974, c. 57)*, and "An act establishing the judicial retirement system, specifying contributions to be paid and benefit rights therein; and repealing sundry acts and parts of acts," approved May 22, 1973 (P. L. 1973, c. 140)*.

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

1 1. Section 1 of P. L. 1974, c. 57 (C. 2A:1A-6) is amended to
2 read as follows:

3 1. Annual salaries of the following justices and judges are fixed
4 and established as follows:

	Title	Salary	
5	Chief Justice of the Supreme Court	[\$50,500]	\$58,500
6	Associate Justice of the Supreme Court	[48,000]	56,000
7	Judge of the Superior Court, Appellate		
8	Division	[45,000]	53,000
9	Judge of the Superior Court, Assignment		
10	judge	[43,000]	51,000
11	Judge of the Superior Court	[40,000]	48,000
12	Judge of the County Court	[40,000]	48,000
13	Judge of the county district court	[37,000]	48,000
14	Judge of the juvenile and domestic relations		
15	court	[40,000]	48,000

1 *2. Section 3 of P. L. 1973, c. 140 (C. 43:6A-3) is amended to
2 read as follows:

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

3 3. As used in this act:

4 a. "Beneficiary" means any person entitled to receive any
5 benefit pursuant to the provisions of this act by reason of the death
6 of a member or retirant.

7 b. "Child" means a deceased member's or retirant's unmarried
8 child who is either (a) under the age of 18 (b) of any age who, at
9 the time of the member's or retirant's death, is disabled because
10 of mental retardation or physical incapacity, is unable to do any
11 substantial, gainful work because of the impairment and his impair-
12 ment has lasted or can be expected to last for a continuous period
13 of not less than 12 months, as affirmed by the medical board or (c)
14 under the age of 21 and is attending school full time.

15 c. "Compensation" means the base salary, for services as a
16 member as defined in this act, which is in accordance with estab-
17 lished salary policies of the State for all employees in the same
18 position but shall not include individual salary adjustments which
19 are granted primarily in anticipation of the member's retirement
20 or additional remuneration for performing temporary duties be-
21 yond the regular work schedule.

22 d. "Final salary" means [the average salary received by the
23 member in the last 12 months of service preceding his retirement
24 or death, except that for the purpose of the benefits provided to a
25 surviving widow and children pursuant to section 17 a. of P. L. 1973,
26 c. 140 (C. 43:6A-17) "final salary" means] the annual salary re-
27 ceived by the member at the time of his retirement or death.

28 e. "Fiscal year" means any year commencing with July 1 and
29 ending with June 30 next following.

30 f. "Medical board" means the board of physicians provided for
31 in section 29 of this act.

32 g. "Member" means the Chief Justice and associate justices of
33 the supreme court, judges of the superior court, county courts,
34 county district courts and juvenile and domestic relations courts
35 of the State of New Jersey required to be enrolled in the retirement
36 system established by this act.

37 For purposes of this act, the person holding the office of standing
38 master by appointment pursuant to P. L. 1948, c. 382 or N. J. S.
39 2A:1-7 shall have the same privileges and obligations under this
40 act as a judge of a county court.

41 h. "Parent" means the parent of a member who was receiving
42 at least one-half of his support from the member in the 12-month
43 period immediately preceding the member's death or the accident
44 which was the direct cause of the member's death. The dependency

45 of such a parent will be considered terminated by marriage of the
46 parent subsequent to the death of the member.

47 i. "Pension" means payment for life derived from contributions
48 by the State.

49 j. "Pension reserve" means the present value of all payments
50 to be made on account of any pension or benefit in lieu of a pension
51 computed on the basis of such mortality tables recommended by the
52 actuary as shall be adopted by the State House Commission with
53 regular interest.

54 k. "Regular interest" means interest as determined annually by
55 the State Treasurer after consultation with the Directors of the
56 Divisions of Investment and Pensions and the actuary of the sys-
57 tem. It shall bear a reasonable relationship to the percentage rate
58 of earnings on investments but shall not exceed 105% of such
59 percentage rate.

60 l. "Retirant" means any former member receiving a pension
61 as provided by this act.

62 m. "Retirement system" herein refers to the "Judicial Retire-
63 ment System of New Jersey," which is the corporate name of the
64 arrangement for the payment of pensions and other benefits under
65 the provisions of this act including the several funds placed under
66 said system. By that name, all of its business shall be transacted,
67 its funds invested, warrants for money drawn, and payments made
68 and all of its cash and securities and other property held.

69 n. "Service" means public service rendered for which credit is
70 allowed on the basis of contributions made by the State.

71 o. "Several courts" means the Supreme, Superior, County,
72 county district and juvenile and domestic relations courts.

73 p. "Widow" means the woman to whom a member or a retirant
74 was married at least 4 years before the date of his death and to
75 whom he continued to be married until the date of his death. The
76 eligibility of such a widow to receive a survivor pension benefit
77 will be considered terminated by the marriage of the widow sub-
78 sequent to the member's or the retirant's death. In the event of
79 accidental death the 4-year qualification shall be waived. When
80 used in this act, the term "widow" shall mean and include "wid-
81 ower" as may be necessary and appropriate to the particular
82 situation.

83 q. "Widower" means the man to whom a member or a retirant
84 was married at least 4 years before the date of her death and to
85 whom she continued to be married until the date of her death. The
86 eligibility of such a widower to receive a survivor pension benefit

87 will be considered terminated by the marriage of the widower
88 subsequent to the member's or retirant's death. In the event of
89 accidental death the 4-year qualification shall be waived.*

1 *~~2.~~* *3.* This act shall take effect *~~July 1, 1978~~* *January
2 1, 1978*.

SENATE, No. 3486

STATE OF NEW JERSEY

INTRODUCED DECEMBER 1, 1977

By Senator MERLINO

(Without Reference)

AN ACT to amend "An act concerning the annual salaries of the justices and judges of State and county courts and the establishment of salary ranges for certain offices and positions in the judicial branch of the State Government, and repealing P. L. 1970, c. 105," approved June 28, 1974 (P. L. 1974, c. 57).

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

1 1. Section 1 of P. L. 1974, c. 57 (C. 2A:1A-6) is amended to
2 read as follows:

3 1. Annual salaries of the following justices and judges are fixed
4 and established as follows:

	Title	Salary	
5	Chief Justice of the Supreme Court	[\$50,500]	<i>\$58,500</i>
6	Associate Justice of the Supreme Court	[48,000]	<i>56,000</i>
7	Judge of the Superior Court, Appellate		
8	Division	[45,000]	<i>53,000</i>
9	Judge of the Superior Court, Assignment		
10	judge	[43,000]	<i>51,000</i>
11	Judge of the Superior Court	[40,000]	<i>48,000</i>
12	Judge of the County Court	[40,000]	<i>48,000</i>
13	Judge of the county district court	[37,000]	<i>48,000</i>
14	Judge of the juvenile and domestic relations		
15	court	[40,000]	<i>48,000</i>

1 2. This act shall take effect July 1, 1978.

STATEMENT

This bill increases the salaries of the justices and judges of the State and county courts.

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

SENATE AMENDMENTS TO
SENATE, No. 3486

STATE OF NEW JERSEY

ADOPTED DECEMBER 15, 1977

Amend page 1, title, line 5, after "57)", add ", and 'An act establishing the judicial retirement system, specifying contributions to be paid and benefit rights therein; and repealing sundry acts and parts of acts,' approved May 22, 1973 (P. L. 1973, c. 140)".

Amend page 1, section 1, line 15, after line 15, add as new section 2:

"2. Section 3 of P. L. 1973, c. 140 (C. 43:6A-3) is amended to read as follows:

3. As used in this act:

a. "Beneficiary" means any person entitled to receive any benefit pursuant to the provisions of this act by reason of the death of a member or retirant.

b. "Child" means a deceased member's or retirant's unmarried child who is either (a) under the age of 18 (b) of any age who, at the time of the member's or retirant's death, is disabled because of mental retardation or physical incapacity, is unable to do any substantial, gainful work because of the impairment and his impairment has lasted or can be expected to last for a continuous period of not less than 12 months, as affirmed by the medical board or (c) under the age of 21 and is attending school full time.

c. "Compensation" means the base salary, for services as a member as defined in this act, which is in accordance with established salary policies of the State for all employees in the same position but shall not include individual salary adjustments which are granted primarily in anticipation of the member's retirement or additional remuneration for performing temporary duties beyond the regular work schedule.

d. "Final salary" means **[the average salary received by the member in the last 12 months of service preceding his retirement or death, except that for the purpose of the benefits provided to a surviving widow and children pursuant to section 17a. of P. L. 1973, c. 140 (C. 43:6A-17) "final salary" means]** the annual salary received by the member at the time of his retirement or death.

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

e. "Fiscal year" means any year commencing with July 1 and ending with June 30 next following.

f. "Medical board" means the board of physicians provided for in section 29 of this act.

g. "Member" means the Chief Justice and associate justices of the supreme court, judges of the superior court, county courts, county district courts and juvenile and domestic relations courts of the State of New Jersey required to be enrolled in the retirement system established by this act.

For purposes of this act, the person holding the office of standing master by appointment pursuant to P. L. 1948, c. 382 or N. J. S. 2A:1-7 shall have the same privileges and obligations under this act as a judge of a county court.

h. "Parent" means the parent of a member who was receiving at least one-half of his support from the member in the 12-month period immediately preceding the member's death or the accident which was the direct cause of the member's death. The dependency of such a parent will be considered terminated by marriage of the parent subsequent to the death of the member.

i. "Pension" means payment for life derived from contributions by the State.

j. "Pension reserve" means the present value of all payments to be made on account of any pension or benefit in lieu of a pension computed on the basis of such mortality tables recommended by the actuary as shall be adopted by the State House Commission with regular interest.

k. "Regular interest" means interest as determined annually by the State Treasurer after consultation with the Directors of the Divisions of Investment and Pensions and the actuary of the system. It shall bear a reasonable relationship to the percentage rate of earnings on investments but shall not exceed 105% of such percentage rate.

l. "Retirant" means any former member receiving a pension as provided by this act.

m. "Retirement system" herein refers to the "Judicial Retirement System of New Jersey," which is the corporate name of the arrangement for the payment of pensions and other benefits under the provisions of this act including the several funds placed under said system. By that name, all of its business shall be transacted, its funds invested, warrants for money drawn, and payments made and all of its cash and securities and other property held.

n. "Service" means public service rendered for which credit is allowed on the basis of contributions made by the State.

o. "Several courts" means the Supreme, Superior, County, county district and juvenile and domestic relations courts.

p. "Widow" means the woman to whom a member or a retirant was married at least 4 years before the date of his death and to whom he continued to be married until the date of his death. The eligibility of such a widow to receive a survivor pension benefit will be considered terminated by the marriage of the widow subsequent to the member's or the retirant's death. In the event of accidental death the 4-year qualification shall be waived. When used in this act, the term "widow" shall mean and include "widower" as may be necessary and appropriate to the particular situation.

q. "Widower" means the man to whom a member or a retirant was married at least 4 years before the date of her death and to whom she continued to be married until the date of her death. The eligibility of such a widower to receive a survivor pension benefit will be considered terminated by the marriage of the widower subsequent to the member's or retirant's death. In the event of accidental death the 4-year qualification shall be waived."

Amend page 1, section 2, line 1, delete "2.", insert "3."; omit "July 1, 1978", insert "January 1, 1978".