

43:16A-1

LEGISLATIVE HISTORY CHECKLIST

NJSA 43:16A-1

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Laws of 1975 Chapter 302

Bill No. A830

Sponsor(s) Snedeker & others

Date Introduced Jan. 24, 1974

Committee: Assembly State Gov't., Federal & Interstate Relations

Senate -----

Amended during passage Yes No

Date of passage: Assembly Jan. 5, 1976

Senate Jan. 8, 1976

Date of approval Feb. 2, 1976

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

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MAY 1977

CHAPTER 362 LAWS OF N. J. 1975
APPROVED 2-2-76

ASSEMBLY, No. 830

STATE OF NEW JERSEY

INTRODUCED JANUARY 24, 1974

By Assemblymen SNEDEKER, WEIDEL, FORAN, SWEENEY
and YATES

Referred to Committee on State Government, Federal and
Interstate Relations

AN Act amending P. L. 1944, c. 255 and supplementing "An act concerning the Police and Firemen's Retirement System, providing for membership therein by certain law enforcement officers and revising parts of the statutory law," approved June 1, 1973 (P. L. 1973, c. 156).

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

1 1. Section 1 of P. L. 1944, c. 255 (C. 43:16A-1) is amended to
2 read as follows:

3 1. As used in this act:

4 (1) "Retirement system" shall mean the Police and Firemen's
5 Retirement System of New Jersey as defined in section 2 of this act.

6 (2) "Policeman or fireman" shall mean any permanent and full-
7 time active uniformed employee, and any active permanent and
8 full-time employee who is a detective, lineman, fire alarm operator
9 or inspector of combustibles of any police or fire department. It
10 shall also mean any permanent, active, and full-time officer
11 employee of the State of New Jersey with police powers and
12 holding one of the following titles: motor vehicles officer, motor
13 vehicles sergeant, motor vehicles lieutenant, motor vehicles captain,
14 assistant chief, bureau of enforcement, and chief, bureau of enforce-
15 ment in the Division of Motor Vehicles, inspectors, and investiga-
16 tors, in the Division of Alcoholic Beverage Control, conservation
17 officer, assistant district conservation officer, district conservation
18 officer, and chief conservation officer, in the Division of Fish, Game,
19 and Shell Fisheries, rangers, and chief ranger in the Bureau of
20 Parks, marine patrolman, senior marine patrolman, principal
21 marine patrolman, and chief, bureau of marine law enforcement,
22 correction officer, senior correction officer, correction officer

23 sergeant, correction officer lieutenant, correction officer captain,
 24 and deputy keepers in the Division of Correction and Parole,
 25 medical security officer, assistant supervising medical security
 26 officer, and supervising medical security officer in the Department
 27 of Institutions and Agencies, county detective, lieutenant of county
 28 detectives, captain of county detectives, chief of county detectives,
 29 and county investigator in the office of the county prosecutors,
 30 sheriff's officer, sergeant sheriff's officer, lieutenant sheriff's officer,
 31 captain sheriff's officer, chief sheriff's officer, and sheriff's investi-
 32 gator in the office of the county sheriffs, *county correction officer*,
 33 *county correction sergeant*, *county correction lieutenant*, *county*
 34 *correction captain*, and *county deputy warden in the several county*
 35 *jails*, cottage officer, head cottage officer, interstate escort officer,
 36 juvenile officer, head juvenile officer, assistant supervising juvenile
 37 officer, supervising juvenile officer, patrolman capitol police, patrol-
 38 man institutions, sergeant patrolman institutions, and supervising
 39 patrolman institutions and patrolman or other police officer of the
 40 Board of Commissioners of the Palisades Interstate Park appointed
 41 pursuant to R. S. 32:14-21.

42 (3) "Member" shall mean any policeman or fireman included
 43 in the membership of the retirement system as provided in section
 44 3 of this act.

45 (4) "Board of trustees" or "board" shall mean the board pro-
 46 vided for in section 13 of this act.

47 (5) "Medical board" shall mean the board of physicians pro-
 48 vided for in section 13-~~of~~ this act.

49 (6) "Employer" shall mean the State of New Jersey, the county,
 50 municipality or political subdivision thereof which pays the par-
 51 ticular policeman or fireman.

52 (7) "Service" shall mean service as a policeman or fireman paid
 53 for by an employer.

54 (8) "Creditable service" shall mean service rendered for which
 55 credit is allowed as provided under section 4 of this act.

56 (9) "Regular interest" shall mean interest as determined
 57 annually by the State Treasurer after consultation with the
 58 Directors of the Divisions of Investment and Pensions and the
 59 actuary of the system. It shall bear a reasonable relationship to
 60 the percentage rate of earnings on investments but shall not exceed
 61 105% of such percentage rate.

62 (10) "Aggregate contributions" shall mean the sum of all the
 63 amounts, deducted from the compensation of a member or con-

64 tributed by him or on his behalf, standing to the credit of his in-
65 dividual account in the annuity savings fund.

66 (11) "Annuity" shall mean payments for life derived from the
67 aggregate contributions of a member.

68 (12) "Pension" shall mean payments for life derived from
69 contributions by the employer.

70 (13) "Retirement allowance" shall mean the pension plus the
71 annuity.

72 (14) "Earnable compensation" shall mean the full rate of the
73 salary that would be payable to an employee if he worked the full
74 normal working time for his position. In cases where salary includes
75 maintenance, the retirement system shall fix the value of that part
76 of the salary not paid in money which shall be considered under
77 this act.

78 (15) "Average final compensation" shall mean the average
79 annual salary upon which contributions are made for the 3 years
80 of creditable service immediately preceding his retirement or death,
81 or it shall mean the average annual salary for which contributions
82 are made during any 3 fiscal years of his or her membership pro-
83 viding the largest possible benefit to the member or his beneficiary.

84 (16) "Retirement" shall mean the termination of the member's
85 active service with a retirement allowance granted and paid under
86 the provisions of this act.

87 (17) "Annuity reserve" shall mean the present value of all pay-
88 ments to be made on account of any annuity or benefit in lieu of
89 any annuity computed upon the basis of such mortality tables
90 recommended by the actuary as shall be adopted by the board of
91 trustees, and regular interest.

92 (18) "Pension reserve" shall mean the present value of all pay-
93 ments to be made on account of any pension or benefit in lieu of
94 any pension computed upon the basis of such mortality tables
95 recommended by the actuary as shall be adopted by the board of
96 trustees, and regular interest.

97 (19) "Actuarial equivalent" shall mean a benefit of equal value
98 when computed upon the basis of such mortality tables recom-
99 mended by the actuary as shall be adopted by the board of trustees,
100 and regular interest.

101 (20) "Beneficiary" shall mean any person receiving a retirement
102 allowance or other benefit as provided by this act.

103 (21) "Child" shall mean a deceased member's or retirant's
104 unmarried child either (a) under the age of 18 or (b) of any age
105 who, at the time of the member's or retirant's death, is disabled

106 because of mental retardation or physical incapacity, is unable to
107 do any substantial, gainful work because of the impairment and his
108 impairment has lasted or can be expected to last for a continuous
109 period of not less than 12 months, as affirmed by the medical board.

110 (22) "Parent" shall mean the parent of a member who was
111 receiving at least one-half of his support from the member in the
112 12-month period immediately preceding the member's death or the
113 accident which was the direct cause of the member's death. The
114 dependency of such a parent will be considered terminated by
115 marriage of the parent subsequent to the death of the member.

116 (23) "Widower" shall mean the man to whom a member or
117 retirant was married at least 5 years before the date of her death
118 and to whom she continued to be married until the date of her
119 death and who was receiving at least one-half of his support from
120 the member or retirant in the 12-month period immediately preced-
121 ing the member's or retirant's death or the accident which was the
122 direct cause of the member's death. The dependency of such a
123 widower will be considered terminated by marriage of the widower
124 subsequent to the death of the member or retirant. In the event of
125 the payment of an accidental death benefit, the 5-year qualification
126 shall be waived.

127 (24) "Widow" shall mean the woman to whom a member or
128 retirant was married at least 5 years before the date of his death
129 and to whom he continued to be married until the date of his death
130 and who has not remarried. In the event of the payment of an
131 accidental death benefit, the 5-year qualification shall be waived.

132 (25) "Fiscal year" shall mean any year commencing with July 1,
133 and ending with June 30, next following.

134 (26) "Compensation" shall mean the base salary, for services
135 as a member as defined in this act, which is in accordance with
136 established salary policies of the member's employer for all em-
137 ployees in the same position but shall not include individual salary
138 adjustments which are granted primarily in anticipation of the
139 member's retirement or additional remuneration for performing
140 temporary duties beyond the regular work day.

141 (27) "Department" shall mean any police or fire department of
142 a municipality or a fire department of a fire district located in a
143 township or a county police or park police department or the
144 appropriate department of the State or instrumentality thereof.

1 2. Whenever in the act to which this act is a supplement, a period
2 of time is set out which is to be calculated from the effective date

3 of said act, such time shall be calculated for the purposes of this
4 supplementary act from the effective date of this act.
1 3. This act shall take effect immediately.

STATEMENT

P. L. 1973, c. 156 permitted various classification law enforcement officers to transfer from the Public Employees Retirement System to the Police and Firemen's Retirement System. This bill includes county correction officers of several ranks in the classification. P. L. 1968, c. 326 amended N. J. S. 2A:154-3 to classify county correction officers as law enforcement officers. These inclusions in the classification for the purpose of pension benefits are therefore appropriate.

ASSEMBLY STATE GOVERNMENT, FEDERAL
AND INTERSTATE RELATIONS COMMITTEE

STATEMENT TO
ASSEMBLY, No. 830

STATE OF NEW JERSEY

DATED: APRIL 7, 1975

This bill permits county correction officers who are members of the Public Employee Retirement System to transfer to the Police and Firemen's Retirement System.

FISCAL NOTE TO
ASSEMBLY, No. 830

STATE OF NEW JERSEY

DATED: MARCH 11, 1975

Assembly Bill No. 830 amends the act governing the Police and Firemen's Retirement System to include county correction officer, sergeant, lieutenant, captain, and deputy warden in the several county jails for membership in the Police and Firemen's Retirement System and permits the transfer of present individuals with such titles from the Public Employees' Retirement System to the Police and Firemen's Retirement System.

The Division of Pensions states that—

“Unlike the provisions of Assembly Bill No. 1219, this legislation specified the titles of the individuals to be enrolled and likewise provides for the option for all employees to transfer from the Public Employees' Retirement System to the Police and Firemen's Retirement System. The possibility of such transfer is unclear from the provisions of Assembly Bill No. 1219.”

The Division of Pensions further states—

“Thus unlike the fiscal note pertaining to Assembly Bill No. 1219, dated March 11, 1974, we are dealing with specific groups of individuals whose current status we have been able to affirm by contact with the Department of Institutions and Agencies. There is a total of 1,251 such individuals and from these we must subtract the number of such individuals who are members of county pension funds and not enrolled in the Public Employees' Retirement System. After allowing for the 250 individuals who are members of county pension funds, we are left with 1,000 eligible individuals and after allowing for those who are not likely to transfer to the Police and Firemen's Retirement System, we assume the number of individuals to be covered will total 700 lives as well as all new county correction officers as they are appointed in these specific titles.

“The total cost of these 700 lives to all counties is currently \$630,000.00 on behalf of those who are members of the Public Employees' Retirement System and this will increase to \$1,176,000.00 as a result of this legislation or a net increase of \$546,000.00.”

What future costs will be is not stated.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.