43:16A-8

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF:

1971

CHAPTER:

172

NJSA:

43:16A-8

(Permits a beneficiary under the police and firemen's retirement system to receive benefits

regardless of his earnings)

BILL NO:

S922

SPONSOR(S) Schiaffo, Hagedorn, Woodcock, Dickinson and Rinaldo

DATE INTRODUCED: September 21, 1970

COMMITTEE:

ASSEMBLY:

SENATE:

AMENDED DURING PASSAGE:

No

DATE OF PASSAGE:

ASSEMBLY:

May 10, 1971

SENATE:

May 10, 1971

DATE OF APPROVAL:

June 1, 1971

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Original version of bill enacted)

S922

SPONSOR'S STATEMENT:

No

No

COMMITTEE STATEMENT:

ASSEMBLY:

SENATE:

No

FLOOR AMENDMENT STATEMENT:

No

LEGISLATIVE FISCAL NOTE:

No

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

No

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

LAW

CHAPTER 172 LAWS OF N. J. 197/ APPROVED 6-1-71

SENATE, No. 922

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 21, 1970

By Senators SCHIAFFO, HAGEDORN, WOODCOCK and DICKINSON

Referred to Committee on County and Municipal Government

An Acr to amend "An act for the establishment of a police and firemen's retirement system for the police and firemen of a municipality, county or political subdivision thereof," approved May 23, 1944 (P. L. 1944, c. 255).

- BE IT ENACTED by the Senate and General Assembly of the State 1
- 2 of New Jersey:
- 1. Section 8 of P. L. 1944, c. 255 (C. 43:16A-8) is amended to 1
- 2 read as follows:

17

- 8. (1) Upon the receipt by the retirement system of a written 3
- application for a disability retirement allowance, the system shall
- refer the application to the medical board, which shall designate a
- physician or physicians to examine the applicant and the report of 6
- the medical board shall be considered by the board of trustees in 7
- acting upon such application. 8
- (2) Any beneficiary under the age of 55 years who has been 9
- retired on a disability retirement allowance under this act, on his 10
- request or upon the request of the board of trustees shall be given 11
- a medical examination and he shall submit to an examination by a 12
- physician or physicians designated by the medical board at such 13
- place to be mutually agreed upon, twice a year for a period of 3 14
- years and once a year thereafter in order to determine whether or 15
- not the disability which existed at the time he was retired has

vanished or has materially diminished. If the report of the medical

- board shall show that such beneficiary is able to perform either his
- 18 former duty or any other available duty in the department which
- 20 his employer is willing to assign to him, the beneficiary shall report
- for duty within 10 days. If the beneficiary fails to submit to any 21
- such medical examination or fails to return to duty within 10 days 22
- after being ordered so to do, or within such further time as may be 23

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

24 allowed by the board of trustees for valid reason, as the case may 25 be, the pension shall be discontinued during such default.

26(3) If such beneficiary is engaged in an occupation paying more than the difference between (a) his retirement allowance and (b) 27. 28 the salary now attributable to his former position in the police or fire department plus 25% in excess of such salary, the amount of his 29 pension shall be reduced to an amount which, together with his 30 annuity and the amount of his earnings, shall equal the amount of 31 32the salary now attributable to his former position in the police and 33fire department plus 25% in excess of such salary. Should his earn-34ings be later changed, the amount of his pension shall be further 35 modified; provided, that the new position shall not exceed the amount of the pension originally granted. I (Deleted by amend-36 37 ment.)

38 (4) A beneficiary restored to active service at a salary not less 39 than the salary he received at the time he was retired shall become 40 a member of the retirement system and shall be entitled to his previous total service credit, but on his subsequent retirement, he 41 42 shall not receive a greater pension on account of his service 43 rendered before his previous retirement than he was entitled to receive at the time of his restoration, anything to the contrary 44 45 notwithstanding.

1 2. This act shall take effect immediately.