

RS. 2A:3-21.11 et seq.

LEGISLATIVE HISTORY OF 2A:3-21.11, 12, 13
(County court judges; pension)

Previous bills

1963 - S530 - Passed both houses. Filed in State Library
without message.

1969 - Chap.210 - S777

May 5 - Introduced by Farley.

May 8 - Passed in Senate.

May 12 - Passed in Assembly.

Dec.1 - Returned by Governor with recommended amendment.

Dec.1 - Amended as recommended, re-enacted under emergency
resolution in both houses.

Dec.2 - Approved, chapter 210.

No statement on bill.

Amended during passage (copy enclosed of bill and Governor's
recommended amendments).

No hearings or reports were located.

Checked for newspaper clippings without success: V.F.
N.J.-Judges and N.J.-Pensions.

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SENATE, No. 777

STATE OF NEW JERSEY

INTRODUCED MAY 5, 1969

By Senator FARLEY

(Without Reference)

A SUPPLEMENT to "An act concerning the judges of the County Courts in relation to their tenure, retirements and pensions, including pensions for their widows, in certain cases," approved May 13, 1963 (P. L. 1963, c. 36).

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

1 1. Any judge of a County Court who shall have served at least
2 ***[2]* *9*** years as such judge and who shall have attained the age
3 of ***[60]* *70*** years or more and who shall have served ***[25]***
4 ***30*** or more years in the aggregate in State, county, or municipal
5 office, position, or employment, including election to the Legislature
6 **for at least 3 terms**, and his surviving widow qualified under
7 section 4 (C. 2A:3-21.4) of the act to which this act is a supplement,
8 shall be eligible for the pension benefits provided in the act to which
9 this act is a supplement.

1 2. Any judge of a County Court who shall be eligible for pension
2 benefits under this supplementary act and who was also eligible for
3 retirement, death, or pension benefits under any other act or by
4 reason of membership in any pension system may elect to take the
5 pension benefits under this supplementary act, but such judge shall
6 in no case be entitled to pension benefits under both this act and
7 under any other act or by reason of any such membership. Such
8 election may be made within 90 days of the effective date of this
9 supplementary act. Such election shall be evidenced by the filing
10 of a notice of election in the office of the Secretary of State. The
11 absence of such timely election notice shall be presumed to be a
12 waiver of the retirement or pension benefits provided by this
13 supplementary act. The election to receive benefits under the
14 provisions of this act by a judge shall terminate all other rights to
15 retirement, pension, or death benefits such judge or his widow may
16 otherwise have had or been entitled to under any other act or by

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

17 reason of membership in any pension system, and any contribution
18 that may have been made by such judge under such act or in such
19 system shall be returned without interest to the judge or to the
20 widow of the judge.

1 3. Any such judge who becomes physically or otherwise
2 incapacitated for full and efficient service in his judicial capacity,
3 and his qualified widow, if any, shall also be eligible for the pension
4 benefits provided in the act to which this act is a supplement.

1 4. This act shall take effect immediately.

SENATE, No. 777

STATE OF NEW JERSEY

INTRODUCED MAY 5, 1969

By Senator FARLEY

(Without Reference)

A SUPPLEMENT to "An act concerning the judges of the County Courts in relation to their tenure, retirements and pensions, including pensions for their widows, in certain cases," approved May 13, 1963 (P. L. 1963, c. 36).

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

1 1. Any judge of a County Court who shall have served at least
2 2 years as such judge and who shall have attained the age of 60
3 years or more and who shall have served 25 or more years in the
4 aggregate in State, county, or municipal office, position, or employ-
5 ment, including election to the Legislature, and his surviving widow
6 qualified under section 4 (C. 2A:3-21.4) of the act to which this
7 act is a supplement, shall be eligible for the pension benefits pro-
8 vided in the act to which this act is a supplement.

1 2. Any judge of a County Court who shall be eligible for pension
2 benefits under this supplementary act and who was also eligible for
3 retirement, death, or pension benefits under any other act or by
4 reason of membership in any pension system may elect to take the
5 pension benefits under this supplementary act, but such judge shall
6 in no case be entitled to pension benefits under both this act and
7 under any other act or by reason of any such membership. Such
8 election may be made within 90 days of the effective date of this
9 supplementary act. Such election shall be evidenced by the filing
10 of a notice of election in the office of the Secretary of State. The
11 absence of such timely election notice shall be presumed to be a
12 waiver of the retirement or pension benefits provided by this
13 supplementary act. The election to receive benefits under the
14 provisions of this act by a judge shall terminate all other rights to
15 retirement, pension, or death benefits such judge or his widow may
16 otherwise have had or been entitled to under any other act or by
17 reason of membership in any pension system, and any contribution

18 that may have been made by such judge under such act or in such
19 system shall be returned without interest to the judge or to the
20 widow of the judge.

1 3. Any such judge who becomes physically or otherwise
2 incapacitated for full and efficient service in his judicial capacity,
3 and his qualified widow, if any, shall also be eligible for the pension
4 benefits provided in the act to which this act is a supplement.

1 4. This act shall take effect immediately.

SENATE AMENDMENTS TO
SENATE, No. 777

STATE OF NEW JERSEY

ADOPTED DECEMBER 1, 1969

Amend page 1, section 1, line 2, delete "2" and add "9".

Amend page 1, section 1, line 2, delete "60" and add "70".

Amend page 1, section 1, line 3, delete "25" and add "30".

Amend page 1, section 1, line 5, after the word "Legislature" add
"for at least 3 terms".

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

December 1, 1969

SENATE BILL NO. 777

To the Senate:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 777, with my objections, for reconsideration.

This bill supplements the noncontributory pension legislation for County Court judges, in order to permit a judge who has served two years on the bench and who has attained the age of 60 and who has served at least 25 years in the aggregate in State, county, or municipal office, including election to the Legislature, and his surviving widow, to qualify for these benefits. In addition, the bill permits a judge who is eligible for pension benefits under the noncontributory act or under any other act to elect the benefits of this supplementary bill within 90 days of the effective date hereof, but does not permit him to qualify for both.

I have several objections of a technical nature with this bill.

Accordingly, I recommend the following changes:

1. Page 1, Section 1, Line 2: Delete "2" and add "9".
2. Page 1, Section 1, Line 2: Delete "60" and add "70".
3. Page 1, Section 1, Line 3: Delete "25" and add "30".
4. Page 1, Section 1, Line 5: After the word "Legislature" . . . add "for at least 3 terms".

Respectfully,

/s/ Richard J. Hughes

GOVERNOR

Attest:

/s/ Alan J. Karcher

Acting Secretary to the Governor