

43:10-18.52

LEGISLATIVE HISTORY CHECKLIST
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(Passaic County Pension
Commission--nomination petitions)

NJSA: 43:10-18.52

LAWS OF: 1992 CHAPTER: 177

BILL NO: A223

SPONSOR(S) Catania

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: Local Government
SENATE: Community Affairs

AMENDED DURING PASSAGE: Yes Amendments during passage
denoted by asterisks

DATE OF PASSAGE: ASSEMBLY: June 4, 1992
SENATE: November 9, 1992

DATE OF APPROVAL: December 10, 1992

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

[FIRST REPRINT]
ASSEMBLY, No. 223
STATE OF NEW JERSEY

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PRE-FILED FOR INTRODUCTION IN THE 1992 SESSION

By Assemblyman CATANIA

1 AN ACT concerning certain county pension commissions and
2 amending P.L.1948, c.310.

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4 BE IT ENACTED by the Senate and General Assembly of the
5 State of New Jersey:

6 1. Section 3 of P.L.1948, c.310 (C.43:10-18.52) is amended to
7 read as follows:

8 3. There shall be authorized to carry out the provisions of this
9 act and charged with the duty of administering the pension fund
10 herein provided for, a pension commission composed of five
11 members, consisting of the county supervisor or similar officer of
12 the county, the treasurer of the county, two county employees
13 1or retirees¹, and a citizen of the county who is not a public
14 office holder in the county or any municipality therein and who
15 shall be selected by the other four members of the commission.
16 The two county employee 1or retiree¹ members of the pension
17 commission shall be elected within sixty days after the passage of
18 this act at a meeting held by the county employees 1and retirees¹
19 affected by this act after thirty days' written notice of the time
20 and place thereof has been given by the county supervisor or
21 similar county officer to all such employees 1and retirees¹.
22 Nominations shall be made only by written petitions filed with
23 the secretary of the pension commission at least fifteen days
24 prior to 1[such] the¹ election and each containing [at least fifty]
25 the signatures of at least 10% of the currently employed county
26 employees 1or retirees¹, as certified by the secretary of the
27 pension commission. The county supervisor shall provide a
28 suitable method of balloting whereby secrecy shall be assured.
29 Ballots shall be distributed among the county employees 1and
30 retirees¹ affected by this act at least seven days prior to the
31 election and the voted ballot shall be returned to the secretary of
32 the pension commission at any time prior to twelve o'clock noon
33 of the day fixed for the holding of the meeting and election.
34 Employees who become members of the retirement system
35 created by this act or who are members of any of the county
36 employees' retirement systems referred to in this act and
37 merged thereunder shall be eligible to participate in 1[such] the¹
38 nomination and election of the two county employee 1or retiree¹
39 members of the pension commission. The two county employees
40 1or retirees¹ shall hold office until their successors are elected in
41 the same manner as aforesaid at a meeting of the employees 1and
42 retirees¹ held on the third Wednesday of December of the second

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted May 18, 1992.

1 year following the adoption of this act. Thereafter two county
2 1[employees] employee or retiree members¹ shall be elected as
3 members of the pension commission, in the same manner, on the
4 third Wednesday of December every second year, for a term of
5 two years commencing January first following their election.

6 In case of vacancy for any cause, the commission may fill it
7 until the next election. Any member of said pension commission
8 who shall leave the service of the county shall automatically
9 cease to be a member of said commission 1except for retirees
10 who may be eligible as members of the commission¹.

11 The commission shall hold its annual meeting between the first
12 and fifteenth days of January in each year and elect its president
13 and such other officers 1[at] as¹ it deems advisable. The
14 commission shall serve without compensation, but shall be
15 reimbursed for any necessary expenditures and shall suffer no loss
16 of salary or other wages through service on 1[such] the¹
17 commission. The treasurer of the county, who shall be treasurer
18 of the commission, shall appoint the secretary of this
19 commission, who shall be 1[some] a¹ person chosen by him from
20 among persons employed by 1[such] the¹ county who is versed in
21 the affairs of the 1[said]¹ treasurer's office and 1[said] the¹
22 treasurer shall fix the compensation of 1[such] the¹ appointee,
23 subject to approval of the board of chosen freeholders. The
24 commission shall secure the services of 1[such] any¹ physicians
25 1[as shall be]¹ necessary to make the medical examinations
26 required by this act.

27 The chief legal officer of the county shall be the legal adviser
28 of and attorney for the 1[said]¹ pension commission.

29 The pension commission shall have control and management of
30 the funds and of the retirement of the county employees. The
31 commission shall, from time to time, subject to the limitations of
32 this act, establish rules and regulations for the transaction of its
33 business and the administration of this act. Under the direction
34 of the pension commission, the head of each county department
35 shall furnish 1[such] the¹ information and shall keep 1[such] the¹
36 records 1[as] that¹ the commission may require for the discharge
37 of its duties.

38 The pension commission may require each employee of the
39 county to file a statement or statements, in 1[such] the¹ form
40 1[as] that¹ the 1[said]¹ commission shall direct, concerning his
41 service or other matters covered by this act.

42 The commission shall have power to compel witnesses to attend
43 and testify before it upon any matter concerning the retirement
44 system and allow fees not in excess of three dollars (\$3.00) to any
45 1[such]¹ witness for 1[such]¹ attendance upon any one day. The
46 president and other members of the 1[said]¹ pension commission
47 are empowered to administer oaths to 1[such] any¹ witnesses. All
48 retirements shall be made and pensions allowed by the pension
49 commission in accordance with the provisions of this act.

50 The pension commission shall be known as the "Pension
51 Commission of the Employees' Retirement System of (name of
52 county)."

53 (cf: P.L.1948, c.310, s.3)

54 2. This act shall take effect immediately.

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Requires signatures of 10% of county employees on nomination
petition for employee pension commission member in Passaic
County.

1 manner, on the third Wednesday of December every second year,
2 for a term of two years commencing January first following their
3 election.

4 In case of vacancy for any cause, the commission may fill it
5 until the next election. Any member of said pension commission
6 who shall leave the service of the county shall automatically
7 cease to be a member of said commission.

8 The commission shall hold its annual meeting between the first
9 and fifteenth days of January in each year and elect its president
10 and such other officers at it deems advisable. The commission
11 shall serve without compensation, but shall be reimbursed for any
12 necessary expenditures and shall suffer no loss of salary or other
13 wages through service on such commission. The treasurer of the
14 county, who shall be treasurer of the commission, shall appoint
15 the secretary of this commission, who shall be some person
16 chosen by him from among persons employed by such county who
17 is versed in the affairs of the said treasurer's office and said
18 treasurer shall fix the compensation of such appointee, subject to
19 approval of the board of chosen freeholders. The commission
20 shall secure the services of such physicians as shall be necessary
21 to make the medical examinations required by this act.

22 The chief legal officer of the county shall be the legal adviser
23 of and attorney for the said pension commission.

24 The pension commission shall have control and management of
25 the funds and of the retirement of the county employees. The
26 commission shall, from time to time, subject to the limitations of
27 this act, establish rules and regulations for the transaction of its
28 business and the administration of this act. Under the direction
29 of the pension commission, the head of each county department
30 shall furnish such information and shall keep such records as the
31 commission may require for the discharge of its duties.

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33 county to file a statement or statements, in such form as the said
34 commission shall direct, concerning his service or other matters
35 covered by this act.

36 The commission shall have power to compel witnesses to attend
37 and testify before it upon any matter concerning the retirement
38 system and allow fees not in excess of three dollars (\$3.00) to any
39 such witness for such attendance upon any one day. The
40 president and other members of the said pension commission are
41 empowered to administer oaths to such witnesses. All
42 retirements shall be made and pensions allowed by the pension
43 commission in accordance with the provisions of this act.

44 The pension commission shall be known as the "Pension
45 Commission of the Employees' Retirement System of (name of
46 county)."

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STATEMENT

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53 This bill would change the procedure for submitting nominating
54 petitions for the office of employee member of the county

1 pension commission in counties with a population between
2 300,000 and 325,000 according to the 1940 federal census.
3 Passaic County is the only county within that classification.
4 Under existing law the signatures of 50 county employees are
5 needed to nominate a candidate for the employee position on the
6 county pension commission. This bill changes current law to
7 require the signatures of 10% of the currently employed county
8 employees, as certified by the secretary of the pension
9 commission. This amendment is necessitated by the fact that the
10 layoffs of county employees due to the current recession make
11 the collection of 50 employee signatures very difficult.

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16 Requires signatures of 10% of county employees on nomination
17 petition for employee pension commission member in Passaic
18 County.

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 223

STATE OF NEW JERSEY

DATED: APRIL 6, 1992

The Assembly Local Government Committee favorably reports Assembly Bill No. 223.

Assembly Bill No. 223 would change the procedure for submitting nominating petitions for the office of employee member of the county pension commission in counties with a population between 300,000 and 325,000 according to the 1940 federal census. Passaic County is the only county within that classification.

Under current law, the signatures of 50 county employees are needed to nominate a candidate for the employee position on the county pension commission. This bill changes the current law to require the signatures of 10% of the currently employed county employees, as certified by the secretary of the pension commission. This amendment is necessitated by the fact that the layoffs of county employees due to the current recession make the collection of 50 employee signatures very difficult.

Assembly Bill No. 223 was prefiled for introduction in the 1992-1993 Legislative session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

STATEMENT TO

ASSEMBLY, No. 223

with Assembly Floor Amendments
(Proposed by Assemblyman Catania)

ADOPTED May 18, 1992

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STATEMENT

These amendments permit retirees to become members of the county pension commission and be part of the nomination and election process of the pension commission in counties with a population between 300,000 and 325,000 according to the 1940 federal census. Currently, Passaic County is the only county within that classification.

Currently, county employees may be part of the county pension commission and participate in the nomination and election process in Passaic County. The amendments would permit retirees of that county to participate in the process along with the county employees.