

43:16A-3.1

LEGISLATIVE HISTORY CHECKLIST
Compiled by the NJ State Law Library

(PFRS--membership--continue after
appt. to administrative or
supervisory position

NJSA: 43:16A-3.1

LAWS OF: 1992 CHAPTER: 73

BILL NO: A975

SPONSOR(S) Anderson

DATE INTRODUCED: February 24, 1992

COMMITTEE: ASSEMBLY: State Government

SENATE: State Government

AMENDED DURING PASSAGE: Yes Amendments during passage
denoted by asterisk

DATE OF PASSAGE: ASSEMBLY: April 30, 1992

SENATE: July 20, 1992

DATE OF APPROVAL: July 30, 1992

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: Yes

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KEG: pp

P.L.1992, CHAPTER 73, approved July 30, 1992

1992 Assembly No. 975 (First Reprint)

1 AN ACT concerning membership in the Police and Firemen's
2 Retirement System of New Jersey and amending P.L.1965, c.186.

3
4 BE IT ENACTED by the Senate and General Assembly of the
5 State of New Jersey:

6 1. Section 1 of P.L.1965, c.186 (C.43:16A-3.1) is amended to
7 read as follows:

8 1. Service with a municipal police or fire department ¹to¹
9 which ¹[has adopted the retirement system] the provisions of
10 P.L.1944, c.255 (C.43:16A-1 et seq.) apply¹ in an appointive
11 administrative or supervisory capacity or any combination thereof
12 by any person who [immediately prior to such service served as a
13 member of said police or fire department, as the term "member"
14 is defined in section 1 of the act of which this act is a
15 supplement,] ¹[is a member of the retirement system] not more
16 than six months prior to such service served as a member of that
17 or any other such police or fire department, as the term "member"
18 is defined in section 1 of P.L.1944, c.255 (C.43:16A-1),¹ shall be
19 deemed to be service as a member under and for all the purposes
20 of the provisions of the act of which this act is a supplement[,
21 notwithstanding whether or not such person is or has been granted
22 a leave of absence from his office, position or employment in or
23 with said police or fire department to serve in any of said
24 capacities].

25 (cf: P.L.1965, c.186, s.1)

26 2. Section 2 of P.L.1965, c.186 (C.43:16A-3.2) is amended to
27 read as follows:

28 2. Any such person presently serving in any of said capacities
29 may purchase prior service credit for the period of time he has so
30 served by paying to the Police and Firemen's Retirement System
31 of New Jersey an amount equal to the contributions he would have
32 been required to have made had such service heretofore been
33 deemed to be service as a member of the police or fire
34 department. Application for such prior service credit shall be
35 made to the retirement system within 6 months of the effective
36 date of this amendatory act, P.L. , c. , and payment therefor
37 may be in a lump sum or in installments as the commission may
38 determine by rule or regulation.

39 (cf: P.L.1965, c.186, s.2)

40 3. This act shall take effect immediately.

41

42

43

44

45 Permits members of PFRS to continue membership in certain
46 administrative and supervisory positions.

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 ASG committee amendments adopted March 30, 1992.

ASSEMBLY, No. 975

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 24, 1992

By Assemblywoman ANDERSON

1 AN ACT concerning membership in the Police and Firemen's
2 Retirement System of New Jersey and amending P.L.1965,
3 c.186.

4

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

7 1. Section 1 of P.L.1965, c.186 (C.43:16A-3.1) is amended to
8 read as follows:

9 1. Service with a municipal police or fire department which
10 has adopted the retirement system in an appointive
11 administrative or supervisory capacity or any combination
12 thereof by any person who [immediately prior to such service
13 served as a member of said police or fire department, as the term
14 "member" is defined in section 1 of the act of which this act is a
15 supplement,] is a member of the retirement system shall be
16 deemed to be service as a member under and for all the purposes
17 of the provisions of the act of which this act is a supplement[,
18 notwithstanding whether or not such person is or has been granted
19 a leave of absence from his office, position or employment in or
20 with said police or fire department to serve in any of said
21 capacities].

22 (cf: P.L.1965, c.186, s.1)

23 2. Section 2 of P.L.1965, c.186 (C.43:16A-3.2) is amended to
24 read as follows:

25 2. Any such person presently serving in any of said capacities
26 may purchase prior service credit for the period of time he has so
27 served by paying to the Police and Firemen's Retirement System
28 of New Jersey an amount equal to the contributions he would
29 have been required to have made had such service heretofore
30 been deemed to be service as a member of the police or fire
31 department. Application for such prior service credit shall be
32 made to the retirement system within 6 months of the effective
33 date of this amendatory act, P.L. , c. , and payment therefor
34 may be in a lump sum or in installments as the commission may
35 determine by rule or regulation.

36 (cf: P.L.1965, c.186, s.2)

37 3. This act shall take effect immediately.

38

39

40

STATEMENT

41

42 This bill permits members of the Police and Firemen's

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.

1 Retirement System (PFRS) to continue membership in the
2 retirement system if they serve in an appointive administrative
3 or supervisory capacity or any combination thereof with a
4 municipal police or fire department which has adopted the
5 retirement system. At present, these persons may continue
6 membership only if they serve in these capacities immediately
7 after service as members of the same department. The bill
8 therefore allows a continuation of PFRS membership for those
9 members who assume appointive or administrative positions in
10 either the same department or in another department covered by
11 the retirement system.

12

13

14

15

16 _____
17 Permits members of PFRS to continue membership in certain
administrative and supervisory positions.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 975

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MARCH 30, 1992

The Assembly State Government Committee reports favorably and with committee amendments Assembly, No. 975.

This bill permits members of the Police and Firemen's Retirement System (PFRS) to continue membership in the retirement system if they serve in an appointive administrative or supervisory capacity or any combination thereof with any municipal police or fire department covered by the retirement system and assume service in that capacity within six months of their last service as a member of the retirement system. At present, these persons may continue membership only if they serve in these capacities immediately after service as members of the same department. The bill therefore allows a continuation of PFRS membership for those members who assume appointive or administrative positions in either the same department or in another department covered by the retirement system and, in either case, extends the right to continue such membership to individuals whose assumption of an administrative or supervisory position follows by no more than six months their service as a PFRS-covered employee.

COMMITTEE AMENDMENTS

The committee amended the bill to (1) clarify that it is to apply to all jurisdictions covered by PFRS, and not only those in which coverage under the system has been established through its adoption by the voters or the local governing body, and (2) to incorporate the provision allowing appointment to an administrative or supervisory position to follow service in a regularly covered PFRS position by up to six months, rather than being required to follow that service without interruption.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 975

STATE OF NEW JERSEY

DATED: JUNE 22, 1992

The Senate State Government Committee reports favorably Assembly, No. 975 (1R).

This bill permits members of the Police and Firemen's Retirement System (PFRS) to continue membership in the retirement system if they serve in an appointive administrative or supervisory capacity or any combination thereof with any municipal police or fire department covered by the retirement system and assume service in that capacity within six months of their last service as a member of the retirement system. At present, these persons may continue membership only if they serve in these capacities immediately after service as members of the same department. The bill therefore allows a continuation of PFRS membership for those members who assume appointive or administrative positions in either the same department or in another department covered by the retirement system and, in either case, extends the right to continue such membership to individuals whose assumption of an administrative or supervisory position follows by no more than six months their service as a PFRS-covered employee.

LEGISLATIVE FISCAL ESTIMATE TO

[FIRST REPRINT]

ASSEMBLY, No. 975

STATE OF NEW JERSEY

DATED: May 12, 1992

Assembly Bill No. 975 (1R) of 1992 permits members of the Police and Firemen's Retirement System (PFRS) to continue membership in the retirement system if they serve in an appointive administrative or supervisory capacity or any combination thereof with any municipal police or fire department covered by the retirement system and assume service in that capacity within six months of their last service as a member of the retirement system. At present, these persons may continue membership only if they serve in these capacities immediately after service as members of the same department. The bill therefore allows a continuation of PFRS membership for those members who assume appointive or administrative positions in either the same department or in another department covered by the retirement system and, in either case, extends the right to continue such membership to individuals whose assumption of an administrative or supervisory position follows by no more than six months their service as a PFRS-covered employee.

The Office of Legislative Services notes that there would be an additional cost of enacting this legislation (in that the employer would pay for coverage in the PFRS rather than the less costly Public Employees' Retirement System (PERS), which the person would otherwise be required to join) but notes that it has no information available to estimate the number of individuals who might qualify for continued service under the provisions of this legislation or the cost of the continued membership. The OLS notes that the average annual employer cost for membership in PFRS is \$6,090 more than in PERS.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.