

43:16A-1

LEGISLATIVE HISTORY CHECKLIST

(Police & Firemen's Retirement System--  
eligibility for persons in Bureau of  
Forest Fire management)

NJSA 43:16A-1

LAWS 1981

CHAPTER 524

Bill No. S3522

Sponsor(s) J. Russo

Date Introduced Dec. 14, 1981

Committee: Assembly \_\_\_\_\_

Senate \_\_\_\_\_

Amended during passage

~~XXX~~

No Substituted for ~~A3783~~ (not  
attached since identical to  
S3522)

Date of Passage: Assembly Jan. 11, 1982

Senate Dec. 17, 1981

Date of approval Jan. 12, 1982

Following statements are attached if available:

Sponsor statement	Yes	<del>XX</del> (Below)
Committee Statement: Assembly	<del>XX</del> Yes	No
Senate	<del>XX</del> Yes	No
Fiscal Note	<del>XX</del> Yes	No
Veto Message	<del>XX</del> Yes	No
Message on signing	Yes	<del>XX</del> No

Following were printed:

Reports	<del>XX</del> Yes	No
Hearings	<del>XX</del> Yes	No

Sponsor's statement:

This bill adds the titles of certain persons in the Bureau of Forest Fire Management in the Department of Environmental Protection to the titles presently set forth in the membership eligibility section of the Police and Firemen's Retirement System Law.

6/22/81

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SENATE, No. 3522

**STATE OF NEW JERSEY**

INTRODUCED DECEMBER 14, 1981

By Senator J. RUSSO

(Without Reference)

AN ACT to amend and supplement "An act for the establishment of a police and firemen's retirement system for police, firemen and certain other law enforcement officers," approved May 23, 1944 (P. L. 1944, c. 255) as said title was amended by P. L. 1976, c. 139.

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 firefighter or  
11 officer employee of the State of New Jersey, or any political sub-  
12 division thereof, with police powers and holding one of the follow-  
13 ing titles: motor vehicles officer, motor vehicles sergeant, motor  
14 vehicles lieutenant, motor vehicles captain, assistant chief, bureau  
14A of enforcement, and chief, bureau of enforcement in the Division  
15 of Motor Vehicles, alcoholic beverage control investigators, alco-  
16 holic beverage control inspectors, assist deputy director, bureau of  
17 enforcement and deputy director, bureau of enforcement in the  
18 Division of Alcoholic Beverage Control, conservation officer, assist-  
19 ant district conservation officer, district conservation officer, and  
20 chief conservation officer, in the Division of Fish, Game, and Shell  
21 Fisheries, rangers, and chief ranger in the Bureau of Parks, State  
22 fire warden and chief, assistant chief, division fire warden, assistant  
23 division fire warden, staff section fire warden, and field section fire

24 warden, in the Forest Fire Service, Department of Environmental  
 25 Protection, *chief, Bureau of Forest Fire Management—State forest*  
 26 *fire warden, supervising forester (fire), principal forester (fire),*  
 27 *senior forester (fire), assistant forester (fire), in the Bureau of*  
 28 *Forest Fire Management, Department of Environmental Protec-*  
 29 *tion,* marine patrolman, senior marine patrolman, principal marine  
 30 patrolman, and chief, bureau of marine law enforcement, State  
 31 fire marshal, deputy State fire marshal, and inspector fire safety,  
 32 Department of Law and Public Safety, institution fire chief, and  
 33 assistant institution fire chief, Department of Human Services,  
 34 correction officer, senior correction officer, correction officer ser-  
 35 geant, correction officer lieutenant, correction officer captain, and  
 36 deputy keepers in the Department of Corrections, medical security  
 37 officer, assistant supervising medical security officer, and supervis-  
 38 ing medical security officer in the Department of Human Services,  
 39 county detective, lieutenant of county detectives, captain of county  
 40 detectives, deputy chief of county detectives, chief of county detec-  
 41 tives, supervising auditor-investigator, auditor-investigator, elec-  
 42 tronics specialist, traffic safety coordinator-investigator and super-  
 43 visor of electronics and investigations, county investigator in the  
 44 office of the county prosecutors, sheriff's officer, sergeant sheriff's  
 45 officer, lieutenant sheriff's officer, captain sheriff's officer, chief  
 46 sheriff's officer, and sheriff's investigator in the office of the county  
 47 sheriffs, county correction officer, county correction sergeant,  
 48 county correction lieutenant, county correction captain, and county  
 49 deputy warden in the several county jails, industrial trade instructor  
 50 and identification officer in a county of the first class having a popu-  
 51 lation of more than 925,000 inhabitants, cottage officer, head cottage  
 52 officer, interstate escort officer, juvenile officer, head juvenile officer,  
 53 assistant supervising juvenile officer, supervising juvenile officer,  
 54 patrolman capital police, patrolman institutions, sergeant patrol-  
 55 man institutions and supervising patrolman institutions and pa-  
 56 trolman or other police officer of the Board of Commissioners of  
 57 the Palisades Interstate Park appointed pursuant to R. S. 32:14-21.  
 58 (3) "Member" shall mean any policeman or fireman included  
 59 in the membership of the retirement system as provided in section  
 60 3 of this act.  
 61 (4) "Board of trustees" or "board" shall mean the board pro-  
 62 vided for in section 13 of this act.  
 63 (5) "Medical board" shall mean the board of physicians pro-  
 64 vided for in section 13 of this act.  
 65-66 (6) "Employer" shall mean the State of New Jersey, the county,  
 67 municipality or political subdivision thereof which pays the par-  
 68 ticular policeman or fireman.

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

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

73 (9) "Regular interest" shall mean interest as determined annu-  
74 ally by the State Treasurer after consultation with the Directors  
75 of the Divisions of Investment and Pensions and the actuary of the  
76-77 system. It shall bear a reasonable relationship to the percentage  
78 rate of earnings on investments but shall not exceed 105% of such  
79 percentage rate.

80 (10) "Aggregate contributions" shall mean the sum of all the  
81 amounts, deducted from the compensation of a member or con-  
82 tributed by him or on his behalf, standing to the credit of his indi-  
83 vidual account in the annuity savings fund.

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

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

88 (13) "Retirement allowance" shall mean the pension plus the  
89 annuity.

90 (14) "Earnable compensation" shall mean the full rate of the  
91 salary that would be payable to an employee if he worked the full  
92 normal working time for his position. In cases where salary in-  
93 cludes maintenance, the retirement system shall fix the value of that  
94 part of the salary not paid in money which shall be considered  
95 under this act.

96 (15) "Average final compensation" shall mean the average  
97 annual salary upon which contributions are made for the 3 years  
98 of creditable service immediately preceding his retirement or death,  
99 or it shall mean the average annual salary for which contributions  
100 are made during any 3 fiscal years of his or her membership pro-  
101 viding the largest possible benefit to the member or his beneficiary.

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

105-106 (17) "Annuity reserve" shall mean the present value of all pay-  
107 ments to be made on account of any annuity or benefit in lieu of  
108 any annuity computed upon the basis of such mortality tables  
109 recommended by the actuary as shall be adopted by the board of  
110 trustees, and regular interest.

111 (18) "Pension reserve" shall mean the present value of all pay-  
112 ments to be made on account of any pension or benefit in lieu of  
113 any pension computed upon the basis of such mortality tables

114 recommended by the actuary as shall be adopted by the board of  
115 trustees, and regular interest.

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

120 (20) "Beneficiary" shall mean any person receiving a retire-  
121 ment allowance or other benefit as provided by this act.

122 (21) "Child" shall mean a deceased member's or retirant's  
123 unmarried child either (a) under the age of 18 or (b) of any age  
124 who, at the time of the member's or retirant's death, is disabled  
125 because of mental retardation or physical incapacity, is unable to  
126 do any substantial, gainful work because of the impairment and his  
127 impairment has lasted or can be expected to last for a continuous  
128 period of not less than 12 months, as affirmed by the medical board.

129 (22) "Parent" shall mean the parent of a member who was  
130 receiving at least one-half of his support from the member in the  
131 12-month period immediately preceding the member's death or the  
132 accident which was the direct cause of the member's death. The  
133 dependency of such a parent will be considered terminated by  
134 marriage of the parent subsequent to the death of the member.

135 (23) "Widower" shall mean the man to whom a member or  
136 retirant was married at least 2 years before the date of her  
137 death and to whom she continued to be married until the date of her  
138 death and who was receiving at least one-half of his support from  
139 the member or retirant in the 12-month period immediately preced-  
140 ing the member's or retirant's death or the accident which was the  
141 direct cause of the member's death. The dependency of such a  
142 widower will be considered terminated by marriage of the widower  
143 subsequent to the death of the member or retirant. In the event of  
144 the payment of an accidental death benefit, the 2-year qualification  
145 shall be waived.

146 (24) "Widow" shall mean the woman to whom a member or  
147 retirant was married at least 2 years before the date of his death  
148 and to whom he continued to be married until the date of his  
149 death and who has not remarried. In the event of the payment of an  
150 accidental death benefit, the 2-year qualification shall be waived.

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

153 (26) "Compensation" shall mean the base salary, for services  
154 as a member as defined in this act, which is in accordance with  
155 established salary policies of the member's employer for all em-  
156 ployees in the same position but shall not include individual salary

157 adjustments which are granted primarily in anticipation of the  
158 member's retirement or additional remuneration for performing  
159 temporary duties beyond the regular work day.

160 (27) "Department" shall mean any police or fire department of  
161 a municipality or a fire department of a fire district located in a  
162 township or a county police or park police department or the  
163 appropriate department of the State or instrumentality thereof.

1 2. (New section) An eligible officer under this amendatory and  
2 supplementary act, who is a member of the Public Employees'  
3 Retirement System shall be permitted to transfer his membership  
4 in said fund to the Police and Firemen's Retirement System of New  
5 Jersey by waiving all rights and benefits which would otherwise  
6 be provided by the Public Employees' Retirement System. Any  
7 such officer will likewise be permitted to continue his membership  
8 in the Public Employees' Retirement System by waiving all rights  
9 and benefits which would otherwise be provided by the Police and  
10 Firemen's Retirement System. Waivers shall be accomplished by  
11 filing forms satisfactory to the New Jersey Division of Pensions  
12 within 90 days of the effective date of this amendatory and supple-  
13 mental act. In the absence of the filing of a timely waiver by any  
14 eligible officer his pension status shall remain unchanged and his  
15 membership shall not be transferred to the Police and Firemen's  
16 Retirement System. This section shall not be applicable to any  
17 person heretofore eligible, who failed to file within the time period  
18 prescribed in section 4 of P. L. 1973, c. 156 (C. 43:16A-62) or in  
19 any supplement to said act.

1 3. (New section) Within 120 days following the effective date  
2 of this act the Public Employees' Retirement System shall remit  
3 to the Police and Firemen's Retirement System of New Jersey  
4 all accumulated deductions standing to the credit of each trans-  
5 ferred employee as members of the fund, and within 180 days  
6 following the effective date of this act remit the pro rata part of  
7 the reserve fund constituting the employer's obligations under the  
8 former system applicable to the employee's account, and the  
9 Police and Firemen's Retirement System shall then enter the  
10 respective sums so remitted to it to the credit of the employee  
11 in the Annuity Savings Fund and to the credit of the employer  
12 in the Pension Accumulation Fund of the Police and Firemen's  
13 Retirement System of New Jersey.

1 4. This act shall take effect immediately.

**STATEMENT**

This bill adds the titles of certain persons in the Bureau of Forest Fire Management in the Department of Environmental Protection to the titles presently set forth in the membership eligibility section of the Police and Firemen's Retirement System Law.

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S-3060, sponsored by Senator Marino, amending the definition of solid waste in the county improvement authority law to conform with the more recent definition applying to municipal authorities.

S-3529, sponsored by Senator Hamilton, repealing a 1924 law permitting county courts to appoint a salaried guardian to assist invalid veterans in obtaining Veterans benefits. The Veterans Administration now aids people seeking benefits, making additional assistance unnecessary.

S-3034, sponsored by Senator Charles B. Yates (D-Burlington), effectively reducing the net worth tax on banks. The bill makes two changes in corporation business taxes: first, the bill eliminates debts of affiliates to a holding company when calculating a bank holding company's net worth for tax purposes; second, the bill exempts interest on debts from affiliates to bank holding companies in calculating net worth.

S-3522, sponsored by Senator John Russo (D-Ocean), adding the titles of certain Department of Environmental Protection supervisory officials to the Police and Firemen's Retirement System. The officials are in positions primarily dealing with forest fire prevention and management. The change is designed to prevent persons covered by PFRS from being removed inadvertently.

S-3506, sponsored by Senator Laurence S. Weiss (D-Union), ratifying the sale of 6.5 acres of land in Woodbridge Township declared surplus by the Department of Corrections. The land parcel is under the jurisdiction of Rahway State Prison.

S-3485, also sponsored by Senator Dodd, permitting county tax board members with 10 years experience to substitute this experience for training course requirements recently enacted by other legislation.

S-3374, sponsored by Senator Wynona Lipman (D-Essex), eliminating the requirement that the Legislature annually renew the "Local Tax Authorization Act, under which the City of Newark levies its payroll tax and parking fees and the City of Jersey City will soon levy its parking fee tax. The statute has been renewed on an almost annual basis since its enactment in 1970.

\*\*\*More descriptions of the bills signed yesterday will follow as they become available

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