

43:15A-141

LEGISLATIVE HISTORY CHECKLIST

**NJSA:** 43:15A-141 (Legislators--PERS-- liberalize eligibility for death benefits)

**LAWS OF:** 1987 **CHAPTER:** 311

**Bill No:** S3213

**Sponsor(s):** Ewing and other

**Date Introduced:** April 23, 1987

**Committee:** **Assembly:** State Government  
**Senate:** State Government and Federal and Interstate Relations and Veterans' Affairs.

**Amended during passage:** No

**Date of Passage:** **Assembly:** November 30, 1987  
**Senate:** June 18, 1987

**Date of Approval:** December 14, 1987

**Following statements are attached if available:**

**Sponsor statement:** Yes

**Committee statement:** **Assembly** Yes  
**Senate** Yes

**Fiscal Note:** Yes

**Veto Message:** Yes

**Message on Signing:** Yes

**Following were printed:**

**Reports:** Yes

**Hearings:** Yes

DO NOT WRITE IN THESE SPACES

SENATE, No. 3213

**STATE OF NEW JERSEY**

INTRODUCED APRIL 23, 1987

By Senators EWING, WEISS, HAINES, DiFRANCESCO, DUMONT,  
DORSEY, HURLEY, GAGLIANO, McNAMARA, BROWN,  
GORMLEY, GARIBALDI, and BASSANO

Referred to Committee on State Government and Federal and  
Interstate Relations and Veterans Affairs

An Act concerning death benefits for members of the Legislature  
under the Public Employees' Retirement System and supple-  
menting P. L. 1972, c. 167 (C. 43:15A-135 et seq.).

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

1 1. A member of the Legislature shall be entitled to the noncon-  
2 tributory and contributory death benefits under the retirement  
3 system without proof of insurability. If contributory death bene-  
4 fits become payable with respect to the member, required contribu-  
5 tions for any period of service as a legislator which have not been  
6 paid shall be deducted from the benefit.

1 2. This act shall take effect immediately and shall be retroactive  
2 to January 8, 1974.

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STATEMENT

This bill provides that members of the Legislature shall be en-  
titled to the death benefits provided under the Public Employees'  
Retirement System without proof of insurability. Since January  
8, 1974, all legislators are required to participate in PERS. The law  
governing PERS requires proof of insurability for death benefits  
when a person applies for membership if the person is 60 years of  
age or older, or more than one year has elapsed from the date the  
person was required or was eligible to enroll. The reason for the

one-year requirement is to avoid "death-bed" selections against the retirement system. This situation would not arise with respect to legislators. They occupy a special position in the public sector which they attain and maintain only through the will of the electorate.

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**PENSIONS AND RETIREMENT—PERS, TPAF, OTHER**

Provides that members of the Legislature shall be entitled to death benefits provided under PERS without proof of insurability.

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**SENATE, No. 3213**  

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ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 3213**

**STATE OF NEW JERSEY**

DATED: NOVEMBER 16, 1987

The Assembly State Government Committee reports favorably Senate Bill No. 3213.

This bill provides that a member of the Legislature shall be entitled to coverage for both noncontributory and contributory death benefits under the Public Employees' Retirement System without having furnished satisfactory evidence of insurability. If contributory death benefits become payable with respect to the member, required contributions for any period of service as a legislator which have not been paid shall be deducted from the benefit.

The bill's provisions shall be retroactive to January 8, 1974, which is the date on which all legislators were required to participate in PERS.

SENATE STATE GOVERNMENT AND FEDERAL AND  
INTERSTATE RELATIONS AND VETERANS AFFAIRS  
COMMITTEE

STATEMENT TO

**SENATE, No. 3213**

**STATE OF NEW JERSEY**

DATED: JUNE 11, 1987

The Senate State Government Committee reports favorably Senate Bill No. 3213.

This bill provides that a member of the Legislature shall be entitled to the noncontributory and contributory death benefits under the Public Employees' Retirement System without having furnished satisfactory evidence of insurability. If contributory death benefits become payable with respect to the member, required contributions for any period of service as a legislator which have not been paid shall be deducted from the benefit.

This act shall be retroactive to January 8, 1974. That is the date that all legislators were required to participate in PERS.



# OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001

Contact: CARL GOLDEN  
609-292-8956 OR 292-6000 EXT. 207

TRENTON, N.J. 08625

Release: MON., DEC. 14, 1987

Governor Thomas H. Kean today signed legislation to permit members of the State Legislature to obtain life insurance under the Public Employees' Retirement System without furnishing proof of insurability.

The legislation, S-3213, was sponsored by Senator John Ewing, R-Somerset, and has the effect of paying insurance benefits to the widow of State Senator Walter E. Foran of Hunterdon County, who died in December of 1986. At the time of his death, Foran was not enrolled in the life insurance system.

The estimated insurance benefit to his widow is \$75,000.

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