

43:3C-6 to 43:3C-8

LEGISLATIVE HISTORY CHECKLIST

NJSA: 43:3C-6 to 43:3C-8

(Public employees-retired
before 1955-minimum
pension)

LAWS OF: 1984

CHAPTER: 156

Bill No: A2149

Sponsor(s): Doyle and Ford

Date Introduced: June 18, 1984

Committee: Assembly: /////

Senate: /////

Amended during passage: Yes
according to Governor's recommendations

Amendments denoted by asterisks

Date of Passage: Assembly: June 28, 1984

Senate: June 28, 1984

Date of Approval: September 25, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate No

Fiscal Note: No

Veto Message: Yes

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

196 86
9 25 84
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ASSEMBLY, No. 2149

STATE OF NEW JERSEY

INTRODUCED JUNE 18, 1984

By Assemblyman DOYLE and Assemblywoman FORD

AN ACT concerning benefits for certain retirants, supplementing Title 43 of the Revised Statutes***[** and making an appropriation**]*** ***and making an appropriation***.

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

1 1. As used in this act, "retirant" means any ****[**teacher or
2 other**]**** person who was employed by the State of New Jersey, any
3 of its instrumentalities, any of its political subdivisions, any of the
4 instrumentalities of its political subdivisions, or any Board of
5 Education, who as a result of such service was a member of any
6 ***State administered*** retirement system or is entitled to retire-
7 ment benefits under any law administered by the Division of
8 Pensions in the Department of the Treasury, who has 20 or more
9 years of creditable service, who retired on or before January 2, 1955,
10 and who does not receive State retirement benefits which are
11 coordinated with Social Security.

1 2. A retirant shall receive a minimum retirement allowance of
2 \$6,000.00 per year from the Division of Pensions in the Department
3 of the Treasury.

1 3. The Director of the Division of Pensions shall promulgate
2 those rules and regulations pursuant to the "Administrative Pro-
3 cedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.) necessary to
4 effectuate the purposes of this act.

1 ***4. There is appropriated to the Department of the Treasury*
2 *from the General Fund \$1,500,000.00 to effectuate the purposes of*
3 *this act.***

1 ***[**4. There is appropriated to the Department of the Treasury
2 from the General Fund \$2,000,000.00 to effectuate the purposes of
3 this act.**]***

1 ***[**5.**]** ***[*4.*]* ****** 5. **** This act shall take effect July 1, 1984.

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly amendments adopted June 25, 1984.

**—Assembly amendments adopted in accordance with Governor's recommendations July 30, 1984.

ASSEMBLY, No. 2149

STATE OF NEW JERSEY

INTRODUCED JUNE 18, 1984

By Assemblyman DOYLE and Assemblywoman FORD

AN ACT concerning benefits for certain retirants, supplementing
Title 43 of the Revised Statutes, and making an appropriation.

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

1 1. As used in this act, "retirant" means any teacher or other
2 person who was employed by the State of New Jersey, any of its
3 instrumentalities, any of its political subdivisions, any of the
4 instrumentalities of its political subdivisions, or any Board of
5 Education, who as a result of such service was a member of any
6 retirement system or is entitled to retirement benefits under any
7 law administered by the Division of Pensions in the Department of
8 the Treasury, who has 20 or more years of creditable service, who
9 retired on or before January 2, 1955, and who does not receive State
10 retirement benefits which are coordinated with Social Security.

1 2. A retirant shall receive a minimum retirement allowance of
2 \$6,000.00 per year from the Division of Pensions in the Department
3 of the Treasury.

1 3. The Director of the Division of Pensions shall promulgate
2 those rules and regulations pursuant to the "Administrative Pro-
3 cedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et seq.) necessary to
4 effectuate the purposes of this act.

1 4. There is appropriated to the Department of the Treasury
2 from the General Fund \$2,000,000.00 to effectuate the purposes of
3 this act.

1 5. This act shall take effect July 1, 1984.

STATEMENT

The purpose of this bill is to address the plight of a small group of older public employees who retired prior to 1955 and who do not receive social security benefits as a result of State employment. This small group of retirants presently receives less than \$340.00 per month and, unless they receive another source of income, live at or below the poverty level. This bill establishes a minimum retirement allowance for these people of \$6,000.00 per year or \$500.00 per month.

A 2149 (1984)

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

July 30, 1984

ASSEMBLY BILL NO. 2149 (OCR)

To the General Assembly:

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Assembly Bill No. 2149 (OCR) with my objections and recommendations for amendment.

Assembly Bill No. 2149 (OCR) would provide to certain retirants of any retirement system a minimum annual retirement allowance of \$6,000.00. The term "retirant" is defined as any teacher or other person who was employed by the State of New Jersey, any of its instrumentalities, any of its political subdivisions, any of the instrumentalities of its political subdivisions, or any Board of Education, who as a result of such service was a member of any retirement system or is entitled to retirement benefits under any law administered by the Division of Pensions within the Department of the Treasury, who has 20 or more years of creditable service, who retired on or before January 2, 1955, and who does not receive State retirement benefits which are coordinated with Social Security.

I support the concept expressed within A-2149 (OCR). Many of our pre-1955 retirants receive retirement allowances that, even with the annual cost of living adjustments, force them to live at or below the poverty level. This bill will provide these individuals, who have served our municipalities, counties and the State well, with sufficient income so that, once again, they will be able to live with a sense of dignity. However, although I am most supportive of the concept expressed within A-2149 (OCR), I am compelled to return this bill to you with my recommendations for amendment as it is fiscally and technically unsound.

Senate Bill No. 2000, one of the supplemental budget bills, contained a line-item in the amount of \$1.5 million that was intended to fund A-2149 (OCR) for Fiscal Year 1985. Upon reviewing S-2000, I discovered that this was not the case. The \$1.5 million line-item was designated to fund the \$6,000.00 annual retirement allowances for only pre-1955 retirants of the Teachers Pension and Annuity Fund. For this reason, I plan to delete this line-item from S-2000 if you will concur in my hereinafter recommended conditional veto. I recommend, therefore, that A-2149 (OCR) be amended so that a

\$1.5 million appropriation be placed within the bill so that the \$6,000.00 minimum annual retirement allowances for all affected pre-1955 retirants may be funded for Fiscal Year 1985.

Assembly Bill No. 2149 (OCR) is also technically unsound as it is unclear as to whom it applies. This bill defines the term "retirant," in part, as any teacher or other person who was employed by the State of New Jersey or any of its political subdivisions and who, as a result of such service, was a member of any retirement system. Given this definition, A-2149 (OCR) could be interpreted as being applicable to any pre-1955 county or municipal retirant who was a member of any retirement system, not just a State-administered system. I do not believe that this was the sponsor's intent, nor do I believe that it is wise to create a financial obligation for the State when it previously did not have this obligation. I recommend that A-2149 (OCR) be amended to insure that only pre-1955 retirants of State-administered pension systems are entitled to the \$6,000.00 minimum annual retirement allowance so long as they satisfy the other criteria set forth within the bill.

Therefore, I herewith return Assembly Bill No. 2149 (OCR) and recommend that it be amended as follows:

Page 1, Title , Line 3: After "tion]", insert ", and making an appropriation"

Page 1, Section 1, Line 1: After "any", delete "teacher or other"

Page 1, Section 1, Line 6: Before "retirement", insert "State administered"

Page 1, After Section 3: Insert new Section 4. as follows:

"4. There is appropriated to the Department of the Treasury from the General Fund \$1,500,000.00 to effectuate the purposes of this act."

Page 1, Section 4, Line 1: Delete "4.", insert "5."

Respectfully,
/s/ Thomas H. Kean
GOVERNOR

[seal]

Attest:

/s/ W. Cary Edwards
Chief Counsel