

SENATE, No. 308

STATE OF NEW JERSEY

218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

Senator BOB ANDRZEJCZAK

District 1 (Atlantic, Cape May and Cumberland)

Co-Sponsored by:

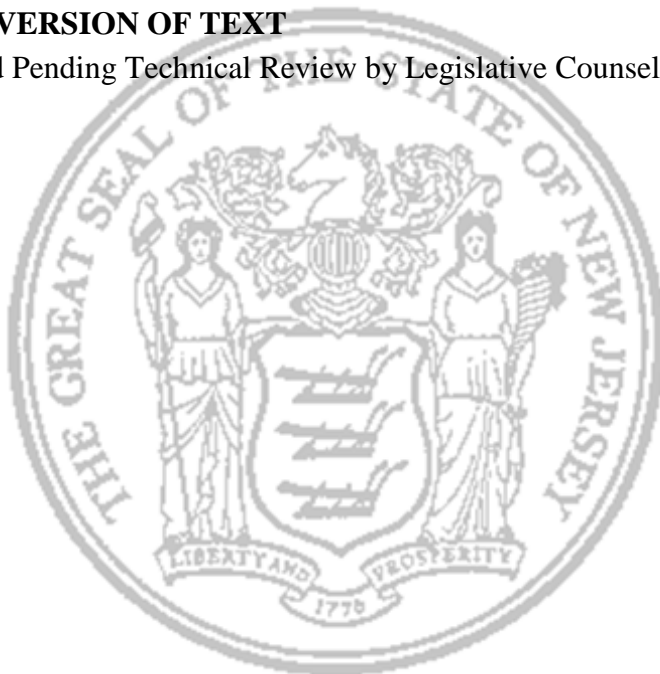
Senators Van Drew, Bateman, Singer, A.R.Bucco, Weinberg, Madden, Beach, Sweeney, Vitale, Rice, Doherty, Pennacchio, Cardinale, Pou and Cruz-Perez

SYNOPSIS

Broadens eligibility for certain veterans' benefits by eliminating requirement of service during specified dates or in specified locations.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 5/14/2019)

1 AN ACT concerning eligibility for certain veterans' benefits,
2 amending and repealing various parts of the statutory law and
3 supplementing Title 11A of the New Jersey Statutes and
4 P.L.1963, c.171 (C.54:4-8.10 et seq.).

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

8
9 1. N.J.S.11A:5-1 is amended to read as follows:
10 11A:5-1. As used in this chapter:

11 a. "Disabled veteran" means any veteran who is eligible to be
12 compensated for a service-connected disability **【from war service】**
13 by the United States **【Veterans Administration】** Department of
14 Veterans' Affairs or who receives or is entitled to receive
15 equivalent compensation for a service-connected disability **【which**
16 **arises out of military or naval service as set forth in this chapter】**
17 and who has submitted sufficient evidence of the record of
18 disability **【incurred in the line of duty】** to the Adjutant General of
19 the Department of Military and Veterans' Affairs and received a
20 determination of status no later than eight days prior to the issuance
21 of an employment list, for which that individual received a passing
22 score on an examination;

23 b. "Veteran" means any **【honorably discharged soldier, sailor,**
24 **marine or nurse who served in any army or navy of the allies of the**
25 **United States in World War I, between July 14, 1914 and November**
26 **11, 1918, or who served in any army or navy of the allies of the**
27 **United States in World War II, between September 1, 1939 and**
28 **September 2, 1945 and who was inducted into that service through**
29 **voluntary enlistment, and was a citizen of the United States at the**
30 **time of the enlistment, and who did not renounce or lose his or her**
31 **United States citizenship; or any soldier, sailor, marine, airman,**
32 **nurse or army field clerk, who has served in the active military or**
33 **naval service of the United States】** person who (1) served at least
34 90 days of active service in the Armed Forces of the United States,
35 excluding any period of service for basic training or as a cadet or
36 midshipman at one of the service academies, or (2) served as a
37 member of a reserve component of the Armed Forces of the United
38 States for an entire period for which called to federal active service,
39 not including active duty for training, and has been discharged or
40 released therefrom under conditions other than dishonorable
41 **【conditions from that service in any of the following wars or**
42 **conflicts】** and who has presented to the Adjutant General of the
43 Department of Military and Veterans' Affairs sufficient evidence of
44 the record of service and received a determination of status no later

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 than eight days prior to the issuance of an employment list, for
2 which that individual received a passing score on an examination【:

3 (1) World War I, between April 6, 1917 and November 11,
4 1918;

5 (2) World War II, on or after September 16, 1940, who shall
6 have served at least 90 days beginning on or before December 31,
7 1946 in such active service, exclusive of any period of assignment
8 for a course of education or training under the Army Specialized
9 Training Program or the Navy College Training Program, which
10 course was a continuation of a civilian course and was pursued to
11 completion, or as a cadet or midshipman at one of the service
12 academies; except that any person receiving an actual service-
13 incurred injury or disability shall be classed a veteran whether or
14 not that person has completed the 90-day service;

15 (3) Korean conflict, on or after June 23, 1950, who shall have
16 served at least 90 days beginning on or before January 31, 1955, in
17 active service, exclusive of any period of assignment for a course of
18 education or training under the Army Specialized Training Program
19 or the Navy College Training Program, which course was a
20 continuation of a civilian course and was pursued to completion, or
21 as a cadet or midshipman at one of the service academies; except
22 that any person receiving an actual service-incurred injury or
23 disability shall be classed as a veteran, whether or not that person
24 has completed the 90-day service;

25 (4) Lebanon crisis, on or after July 1, 1958, who has served in
26 Lebanon or on board any ship actively engaged in patrolling the
27 territorial waters of that nation for a period, continuous or in the
28 aggregate, of at least 14 days commencing on or before November
29 1, 1958 or the date of termination of that conflict, as proclaimed by
30 the President of the United States or Congress, whichever date of
31 termination is the latest, in such active service; provided, that any
32 person receiving an actual service-incurred injury or disability shall
33 be classed as a veteran whether or not that person has completed the
34 14 days' service as herein provided;

35 (5) Vietnam conflict, on or after December 31, 1960, who shall
36 have served at least 90 days beginning on or before May 7, 1975, in
37 active service, exclusive of any period of assignment for a course of
38 education or training under the Army Specialized Training Program
39 or the Navy College Training Program, which course was a
40 continuation of a civilian course and was pursued to completion, or
41 as a cadet or midshipman at one of the service academies, and
42 exclusive of any service performed pursuant to the provisions of
43 section 511(d) of Title 10, United States Code, or exclusive of any
44 service performed pursuant to enlistment in the National Guard or
45 the Army Reserve, Naval Reserve, Air Force Reserve, Marine
46 Corps Reserve, or Coast Guard Reserve; except that any person
47 receiving an actual service-incurred injury or disability shall be

1 classed as a veteran, whether or not that person has completed the
2 90-day service as provided;

3 (6) Lebanon peacekeeping mission, on or after September 26,
4 1982, who has served in Lebanon or on board any ship actively
5 engaged in patrolling the territorial waters of that nation for a
6 period, continuous or in the aggregate, of at least 14 days
7 commencing on or before December 1, 1987 or the date of
8 termination of that mission, as proclaimed by the President of the
9 United States or Congress, whichever date of termination is the
10 latest, in such active service; provided, that any person receiving an
11 actual service-incurred injury or disability shall be classed as a
12 veteran whether or not that person has completed the 14 days'
13 service as herein provided;

14 (7) Grenada peacekeeping mission, on or after October 23,
15 1983, who has served in Grenada or on board any ship actively
16 engaged in patrolling the territorial waters of that nation for a
17 period, continuous or in the aggregate, of at least 14 days
18 commencing on or before November 21, 1983 or the date of
19 termination of that mission, as proclaimed by the President of the
20 United States or Congress, whichever date of termination is the
21 latest, in such active service; provided, that any person receiving an
22 actual service-incurred injury or disability shall be classed as a
23 veteran whether or not that person has completed the 14 days'
24 service as herein provided;

25 (8) Panama peacekeeping mission, on or after December 20,
26 1989 or the date of inception of that mission, as proclaimed by the
27 President of the United States or Congress, whichever date of
28 inception is earliest, who has served in Panama or on board any ship
29 actively engaged in patrolling the territorial waters of that nation for
30 a period, continuous or in the aggregate, of at least 14 days
31 commencing on or before January 31, 1990 or the date of
32 termination of that mission, as proclaimed by the President of the
33 United States or Congress, whichever date of termination is the
34 latest, in such active service; provided, that any person receiving an
35 actual service-incurred injury or disability shall be classed as a
36 veteran whether or not that person has completed the 14 days'
37 service as herein provided;

38 (9) Operation "Desert Shield/Desert Storm" mission in the
39 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
40 or the date of inception of that operation, as proclaimed by the
41 President of the United States or Congress, whichever date of
42 inception is earliest, who has served in the Arabian peninsula or on
43 board any ship actively engaged in patrolling the Persian Gulf for a
44 period, continuous or in the aggregate, of at least 14 days
45 commencing on or before the date of termination of that mission, as
46 proclaimed by the President of the United States or Congress,
47 whichever date of termination is the latest, in such active service;
48 provided, that any person receiving an actual service-incurred injury

1 or disability shall be classed as a veteran whether or not that person
2 has completed the 14 days' service as herein provided;

3 (10) Operation Northern Watch and Operation Southern Watch,
4 on or after August 27, 1992, or the date of inception of that
5 operation, as proclaimed by the President of the United States,
6 Congress or United States Secretary of Defense, whichever date of
7 inception is earliest, who served in the theater of operation,
8 including in the Arabian peninsula and the Persian Gulf, and in
9 direct support of that operation for a period, continuously or in the
10 aggregate, of at least 14 days in such active service commencing on
11 or before the date of termination of that operation, as proclaimed by
12 the President of the United States, Congress or United States
13 Secretary of Defense, whichever date of termination is the latest;
14 provided, that any person receiving an actual service-incurred injury
15 or disability while engaged in such service shall be classed as a
16 veteran whether or not that person has completed the 14 days'
17 service as herein provided;

18 (11) Operation "Restore Hope" in Somalia, on or after December
19 5, 1992, or the date of inception of that operation as proclaimed by
20 the President of the United States or the Congress, whichever date
21 is earliest, who has served in Somalia or on board any ship actively
22 engaged in patrolling the territorial waters of that nation for a
23 period, continuously or in the aggregate, of at least 14 days in such
24 active service commencing on or before March 31, 1994; provided
25 that any person receiving an actual service-incurred injury or
26 disability shall be classed as a veteran whether or not that person
27 has completed the 14-day service as herein provided;

28 (12) Operations "Joint Endeavor" and "Joint Guard" in the
29 Republic of Bosnia and Herzegovina, on or after November 20,
30 1995, who served in such active service in direct support of one or
31 both of the operations for at least 14 days, continuously or in the
32 aggregate, commencing on or before June 20, 1998, and (1) was
33 deployed in that nation or in another area in the region, or (2) was
34 on board a United States naval vessel operating in the Adriatic Sea,
35 or (3) operated in airspace above the Republic of Bosnia and
36 Herzegovina; provided that any person receiving an actual service-
37 incurred injury or disability shall be classed as a veteran whether or
38 not that person completed the 14-day service requirement;

39 (13) Operation "Uphold Democracy" in Haiti, on or after
40 September 19, 1994, who served in Haiti or on board any ship
41 actively engaged in patrolling the territorial waters of that nation for
42 a period, continuously or in the aggregate, of at least 14 days in
43 such active service commencing on or before March 31, 1995, and
44 who received an Armed Forces Expeditionary Medal for such
45 service; provided, that any person receiving an actual service-
46 incurred injury or disability shall be classed as a veteran whether or
47 not that person has completed the 14 days' service as herein
48 provided or received an Armed Forces Expeditionary Medal;

1 (14) Operation "Enduring Freedom", on or after September 11,
2 2001, who served in a theater of operation and in direct support of
3 that operation for a period, continuously or in the aggregate, of at
4 least 14 days in such active service commencing on or before the
5 date the President of the United States or the United States
6 Secretary of Defense designates as the termination date of that
7 operation; provided, that any person receiving an actual service-
8 incurred injury or disability while engaged in such service shall be
9 classed as a veteran whether or not that person has completed the 14
10 days' service as herein provided; and

11 (15) Operation "Iraqi Freedom", on or after the date the President
12 of the United States or the United States Secretary of Defense
13 designates as the inception date of that operation, who served in
14 Iraq or in another area in the region in direct support of that
15 operation for a period, continuously or in the aggregate, of at least
16 14 days in such active service commencing on or before the date the
17 President of the United States or the United States Secretary of
18 Defense designates as the termination date of that operation;
19 provided, that any person receiving an actual service-incurred injury
20 or disability while engaged in such service shall be classed as a
21 veteran whether or not that person has completed the 14 days'
22 service as herein provided;

23 c. "War service" means service by a veteran in any war or
24 conflict described in this chapter during the periods specified**】**.

25 A person who served fewer than 90 days of active service or who
26 served less than the entire period to which called to federal active
27 service shall be classed as a veteran if that person has been
28 discharged or released under conditions other than dishonorable as a
29 result of a service-connected disability incurred as a result of such
30 service.

31 (cf: P.L.2007, c.115, s.1)

32
33 2. N.J.S.11A:5-3 is amended to read as follows:

34 11A:5-3. Parent and spouse of veteran who has died in service.
35 A parent and spouse of any veteran who died while in, and as a
36 result of, federal active service and who would have qualified under
37 this chapter as a veteran, shall be entitled to a disabled veterans'
38 preference. Where both a parent and spouse survive, the exercise of
39 the preference by one shall suspend the right of any other so long as
40 the first individual who exercises preference remains in the employ
41 of the State or any political subdivision operating under the
42 provisions of this title.

43 (cf: N.J.S.11A:5-3)

44
45 3. N.J.S.11A:5-11 is amended to read as follows:

46 11A:5-11. Veterans not to be discriminated against because of
47 physical defects. Veterans suffering from any physical defect
48 caused by **【**wounds or injuries received in the line of duty in the

1 military or naval forces of the United States during war service set
2 forth in N.J.S.11A:5-1 **】** an injury, disease or disability incurred as a
3 result of active service in the Armed Forces of the United States or
4 a reserve component thereof, shall not be discriminated against in
5 an examination, classification or appointment because of the defect,
6 unless this defect, in the opinion of the board, would incapacitate
7 the veteran from properly performing the duties of the office,
8 position or employment for which applied.

9 (cf: N.J.S.11A:5-11)

10
11 4. N.J.S.18A:66-2 is amended to read as follows:

12 18A:66-2. As used in this article:

13 a. "Accumulated deductions" means the sum of all the
14 amounts, deducted from the compensation of a member or
15 contributed by or in behalf of the member, including interest
16 credited to January 1, 1956, standing to the credit of the member's
17 individual account in the annuity savings fund.

18 b. "Annuity" means payments for life derived from the
19 accumulated deductions of a member as provided in this article.

20 c. "Beneficiary" means any person receiving a retirement
21 allowance or other benefit as provided in this article.

22 d. (1) "Compensation" means the contractual salary, for
23 services as a teacher as defined in this article, which is in
24 accordance with established salary policies of the member's
25 employer for all employees in the same position but shall not
26 include individual salary adjustments which are granted primarily in
27 anticipation of the member's retirement or additional remuneration
28 for performing temporary or extracurricular duties beyond the
29 regular school day or the regular school year.

30 (2) In the case of a person who becomes a member of the
31 retirement system on or after July 1, 2007, "compensation" means
32 the amount of the contractual salary equivalent to the annual
33 maximum wage contribution base for Social Security, pursuant to
34 the Federal Insurance Contributions Act, for services as a teacher as
35 defined in this article, which is in accordance with established
36 salary policies of the member's employer for all employees in the
37 same position but shall not include individual salary adjustments
38 which are granted primarily in anticipation of the member's
39 retirement or additional remuneration for performing temporary or
40 extracurricular duties beyond the regular school day or the regular
41 school year. This paragraph shall not apply to a person who at the
42 time of enrollment in the retirement system on or after July 1, 2007
43 transfers service credit from another State-administered retirement
44 system pursuant to N.J.S.18A:66-15.1, but shall apply to a former
45 member of the retirement system who has been granted a retirement
46 allowance and is reenrolled in the retirement system on or after July
47 1, 2007 pursuant to N.J.S.18A:66-53.2 after becoming employed
48 again in a position that makes the person eligible to be a member of

- 1 the retirement system.
- 2 e. "Employer" means the State, the board of education or any
- 3 educational institution or agency of or within the State by which a
- 4 teacher is paid.
- 5 f. "Final compensation" means the average annual
- 6 compensation for which contributions are made for the three years
- 7 of creditable service in New Jersey immediately preceding the
- 8 member's retirement or death, or it shall mean the average annual
- 9 compensation for New Jersey service for which contributions are
- 10 made during any three fiscal years of his or her membership
- 11 providing the largest possible benefit to the member or the
- 12 member's beneficiary.
- 13 g. "Fiscal year" means any year commencing with July 1, and
- 14 ending with June 30, next following.
- 15 h. "Pension" means payments for life derived from
- 16 appropriations made by the State or employers to the Teachers'
- 17 Pension and Annuity Fund.
- 18 i. "Annuity reserve" means the present value of all payments
- 19 to be made on account of any annuity or benefit in lieu of an
- 20 annuity, granted under the provisions of this article, computed on
- 21 the basis of such mortality tables recommended by the actuary as
- 22 the board of trustees adopts, with regular interest.
- 23 j. "Pension reserve" means the present value of all payments to
- 24 be made on account of any pension or benefit in lieu of a pension
- 25 granted to a member from the Teachers' Pension and Annuity Fund,
- 26 computed on the basis of such mortality tables recommended by the
- 27 actuary as the board of trustees adopts, with regular interest.
- 28 k. "Present-entrant" means any member of the Teachers'
- 29 Pension and Annuity Fund who had established status as a "present-
- 30 entrant member" of said fund prior to January 1, 1956.
- 31 l. "Rate of contribution initially certified" means the rate of
- 32 contribution certified by the retirement system in accordance with
- 33 N.J.S.18A:66-29.
- 34 m. "Regular interest" shall mean interest as determined by the
- 35 State Treasurer, after consultation with the Directors of the
- 36 Divisions of Investment and Pensions, the board of trustees and the
- 37 actuary. It shall bear a reasonable relationship to the percentage rate
- 38 of earnings on investments based on the market value of assets but
- 39 shall not exceed the assumed percentage rate of increase applied to
- 40 salaries plus 3%, provided however that the board of trustees shall
- 41 not set the average percentage rate of increase applied to salaries
- 42 below 6%.
- 43 n. "Retirement allowance" means the pension plus the annuity.
- 44 o. "School service" means any service as a "teacher" as defined
- 45 in this section.
- 46 p. "Teacher" means any regular teacher, special teacher,
- 47 helping teacher, teacher clerk, principal, vice-principal, supervisor,
- 48 supervising principal, director, superintendent, city superintendent,

1 assistant city superintendent, county superintendent, State
2 Commissioner or Assistant Commissioner of Education, members
3 of the State Department of Education who are certificated,
4 unclassified professional staff and other members of the teaching or
5 professional staff of any class, public school, high school, normal
6 school, model school, training school, vocational school, truant
7 reformatory school, or parental school, and of any and all classes or
8 schools within the State conducted under the order and
9 superintendence, and wholly or partly at the expense of the State
10 Board of Education, of a duly elected or appointed board of
11 education, board of school directors, or board of trustees of the
12 State or of any school district or normal school district thereof, and
13 any persons under contract or engagement to perform one or more
14 of these functions. It shall also mean any person who serves, while
15 on an approved leave of absence from regular duties as a teacher, as
16 an officer of a local, county or State labor organization which
17 represents, or is affiliated with an organization which represents,
18 teachers as defined in this subsection. No person shall be deemed a
19 teacher within the meaning of this article who is a substitute
20 teacher. In all cases of doubt the board of trustees shall determine
21 whether any person is a teacher as defined in this article.

22 q. "Teachers' Pension and Annuity Fund," hereinafter referred
23 to as the "retirement system" or "system," is the corporate name of
24 the arrangement for the payment of retirement allowances and other
25 benefits under the provisions of this article, including the several
26 funds placed under said system. By that name all its business shall
27 be transacted, its funds invested, warrants for money drawn, and
28 payments made and all of its cash and securities and other property
29 held.

30 r. "Veteran" means any [honorably discharged officer, soldier,
31 sailor, airman, marine or nurse who served in any Army, Air Force
32 or Navy of the Allies of the United States in World War I between
33 July 14, 1914, and November 11, 1918, or who served in any Army,
34 Air Force or Navy of the Allies of the United States in World War
35 II, between September 1, 1939, and September 2, 1945, and who
36 was inducted into such service through voluntary enlistment, and
37 was a citizen of the United States at the time of such enlistment, and
38 who did not, during or by reason of such service, renounce or lose
39 United States citizenship, and any officer, soldier, sailor, marine,
40 airman, nurse or army field clerk who has served in the active
41 military or naval service of the United States] person who (1)
42 served at least 90 days of active service in the Armed Forces of the
43 United States, excluding any period of service for basic training or
44 as a cadet or midshipman at one of the service academies, or (2)
45 served as a member of a reserve component of the Armed Forces of
46 the United States for an entire period for which called to federal
47 active service, not including active duty for training, and has [or
48 shall be] been discharged or released therefrom under conditions

1 other than dishonorable[, in any of the following wars, uprisings,
2 insurrections, expeditions or emergencies,] and who has presented
3 to the [retirement system] Adjutant General of the Department of
4 Military and Veterans' Affairs evidence of such record of service in
5 form and content satisfactory to [said retirement system]:

6 (1) The Indian wars and uprisings during any of the periods
7 recognized by the War Department of the United States as periods
8 of active hostility;

9 (2) The Spanish-American War between April 20, 1898, and
10 April 11, 1899;

11 (3) The Philippine insurrections and expeditions during the
12 periods recognized by the War Department of the United States as
13 of active hostility from February 4, 1899, to the end of 1913;

14 (4) The Peking relief expedition between June 20, 1900, and
15 May 27, 1902;

16 (5) The army of Cuban occupation between July 18, 1898, and
17 May 20, 1902;

18 (6) The army of Cuban pacification between October 6, 1906,
19 and April 1, 1909;

20 (7) The Mexican punitive expedition between March 14, 1916,
21 and February 7, 1917;

22 (8) The Mexican border patrol, having actually participated in
23 engagements against Mexicans between April 12, 1911, and June
24 16, 1919;

25 (9) World War I, between April 6, 1917, and November 11,
26 1918;

27 (10) World War II, between September 16, 1940, and December
28 31, 1946, who shall have served at least 90 days in such active
29 service, exclusive of any period of assignment (1) for a course of
30 education or training under the Army Specialized Training Program
31 or the Navy College Training Program, which course was a
32 continuation of a civilian course and was pursued to completion, or
33 (2) as a cadet or midshipman at one of the service academies, any
34 part of which 90 days was served between said dates; provided that
35 any person receiving an actual service-incurred injury or disability
36 shall be classed as a veteran, whether or not that person has
37 completed the 90-day service as herein provided;

38 (11) Korean conflict on or after June 23, 1950, and on or prior to
39 January 31, 1955, who shall have served at least 90 days in such
40 active service, exclusive of any period of assignment (1) for a
41 course of education or training under the Army Specialized
42 Training Program or the Navy College Training Program, which
43 course was a continuation of a civilian course and was pursued to
44 completion, or (2) as a cadet or midshipman at one of the service
45 academies, any part of which 90 days was served between said
46 dates; provided that any person receiving an actual service-incurred
47 injury or disability shall be classed as a veteran, whether or not that
48 person has completed the 90-day service as herein provided; and

1 provided further that any member classed as a veteran pursuant to
2 this subsection prior to August 1, 1966, shall continue to be classed
3 as a veteran, whether or not that person completed the 90-day
4 service between said dates as herein provided;

5 (12) Lebanon crisis, on or after July 1, 1958, who has served in
6 Lebanon or on board any ship actively engaged in patrolling the
7 territorial waters of that nation for a period, continuous or in the
8 aggregate, of at least 14 days commencing on or before November
9 1, 1958 or the date of termination of that conflict, as proclaimed by
10 the President of the United States or Congress, whichever date of
11 termination is the latest, in such active service; provided, that any
12 person receiving an actual service-incurred injury or disability shall
13 be classed as a veteran whether or not that person has completed the
14 14 days' service as herein provided;

15 (13) Vietnam conflict, on or after December 31, 1960, and on or
16 prior to May 7, 1975, who shall have served at least 90 days in such
17 active service, exclusive of any period of assignment (1) for a
18 course of education or training under the Army Specialized
19 Training Program or the Navy College Training Program, which
20 course was a continuation of a civilian course and was pursued to
21 completion, or (2) as a cadet or midshipman at one of the service
22 academies, any part of which 90 days was served between said
23 dates; and exclusive of any service performed pursuant to the
24 provisions of section 511(d) of Title 10, United States Code,
25 pursuant to an enlistment in the Army National Guard or as a
26 reserve for service in the Army Reserve, Naval Reserve, Air Force
27 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided
28 that any person receiving an actual service-incurred injury or
29 disability shall be classed as a veteran, whether or not that person
30 has completed the 90-day service as herein provided;

31 (14) Lebanon peacekeeping mission, on or after September 26,
32 1982, who has served in Lebanon or on board any ship actively
33 engaged in patrolling the territorial waters of that nation for a
34 period, continuous or in the aggregate, of at least 14 days
35 commencing on or before December 1, 1987 or the date of
36 termination of that mission, as proclaimed by the President of the
37 United States or Congress, whichever date of termination is the
38 latest, in such active service; provided, that any person receiving an
39 actual service-incurred injury or disability shall be classed as a
40 veteran whether or not that person has completed the 14 days'
41 service as herein provided;

42 (15) Grenada peacekeeping mission, on or after October 23,
43 1983, who has served in Grenada or on board any ship actively
44 engaged in patrolling the territorial waters of that nation for a
45 period, continuous or in the aggregate, of at least 14 days
46 commencing on or before November 21, 1983 or the date of
47 termination of that mission, as proclaimed by the President of the
48 United States or Congress, whichever date of termination is the

1 latest, in such active service; provided, that any person receiving an
2 actual service-incurred injury or disability shall be classed as a
3 veteran whether or not that person has completed the 14 days'
4 service as herein provided;

5 (16) Panama peacekeeping mission, on or after December 20,
6 1989 or the date of inception of that mission, as proclaimed by the
7 President of the United States or Congress, whichever date of
8 inception is earliest, who has served in Panama or on board any ship
9 actively engaged in patrolling the territorial waters of that nation for
10 a period, continuous or in the aggregate, of at least 14 days
11 commencing on or before January 31, 1990 or the date of
12 termination of that mission, as proclaimed by the President of the
13 United States or Congress, whichever date of termination is the
14 latest, in such active service; provided, that any person receiving an
15 actual service-incurred injury or disability shall be classed as a
16 veteran whether or not that person has completed the 14 days'
17 service as herein provided;

18 (17) Operation "Desert Shield/Desert Storm" mission in the
19 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
20 or the date of inception of that operation, as proclaimed by the
21 President of the United States or Congress, whichever date of
22 inception is earliest, who has served in the Arabian peninsula or on
23 board any ship actively engaged in patrolling the Persian Gulf for a
24 period, continuous or in the aggregate, of at least 14 days
25 commencing on or before the date of termination of that mission, as
26 proclaimed by the President of the United States or Congress,
27 whichever date of termination is the latest, in such active service;
28 provided, that any person receiving an actual service-incurred injury
29 or disability shall be classed as a veteran whether or not that person
30 has completed the 14 days' service as herein provided;

31 (18) Operation Northern Watch and Operation Southern Watch,
32 on or after August 27, 1992, or the date of inception of that
33 operation, as proclaimed by the President of the United States,
34 Congress or United States Secretary of Defense, whichever date of
35 inception is earliest, who served in the theater of operation,
36 including in the Arabian peninsula and the Persian Gulf, and in
37 direct support of that operation for a period, continuously or in the
38 aggregate, of at least 14 days in such active service, commencing on
39 or before the date of termination of the operation, as proclaimed by
40 the President of the United States, Congress or United States
41 Secretary of Defense, whichever date of termination is latest;
42 provided, that any person receiving an actual service-incurred injury
43 or disability while engaged in such service shall be classed as a
44 veteran whether or not that person has completed the 14 days'
45 service as herein provided;

46 (19) Operation "Restore Hope" in Somalia, on or after December
47 5, 1992, or the date of inception of that operation as proclaimed by
48 the President of the United States or Congress, whichever date is

1 earliest, who has served in Somalia or on board any ship actively
2 engaged in patrolling the territorial waters of that nation for a
3 period, continuously or in the aggregate, of at least 14 days in such
4 active service commencing on or before March 31, 1994; provided
5 that any person receiving an actual service-incurred injury or
6 disability shall be classed as a veteran whether or not that person
7 has completed the 14-day service as herein provided;

8 (20) Operations "Joint Endeavor" and "Joint Guard" in the
9 Republic of Bosnia and Herzegovina, on or after November 20,
10 1995, who served in such active service in direct support of one or
11 both of the operations for at least 14 days, continuously or in the
12 aggregate, commencing on or before June 20, 1998, and (1) was
13 deployed in that nation or in another area in the region, or (2) was
14 on board a United States naval vessel operating in the Adriatic Sea,
15 or (3) operated in airspace above the Republic of Bosnia and
16 Herzegovina; provided that any person receiving an actual service-
17 incurred injury or disability shall be classed as a veteran whether or
18 not that person completed the 14-day service requirement;

19 (21) Operation "Enduring Freedom", on or after September 11,
20 2001, who served in a theater of operation and in direct support of
21 that operation for a period, continuously or in the aggregate, of at
22 least 14 days in such active service commencing on or before the
23 date the President of the United States or the United States
24 Secretary of Defense designates as the termination date of that
25 operation; provided, that any person receiving an actual service-
26 incurred injury or disability while engaged in such service shall be
27 classed as a veteran whether or not that person has completed the 14
28 days' service as herein provided; and

29 (22) Operation "Iraqi Freedom", on or after the date the President
30 of the United States or the United States Secretary of Defense
31 designates as the inception date of that operation, who served in
32 Iraq or in another area in the region in direct support of that
33 operation for a period, continuously or in the aggregate, of at least
34 14 days in such active service commencing on or before the date the
35 President of the United States or the United States Secretary of
36 Defense designates as the termination date of that operation;
37 provided, that any person receiving an actual service-incurred injury
38 or disability while engaged in such service shall be classed as a
39 veteran whether or not that person has completed the 14 days'
40 service as herein provided.] the Adjutant General.

41 A person who served fewer than 90 days of active service or who
42 served less than the entire period to which called to active service
43 shall be classed as a veteran if that person has been discharged or
44 released under conditions other than dishonorable as a result of a
45 service-connected disability incurred as a result of such service.

46 "Veteran" also means any honorably discharged member of the
47 American Merchant Marine who served during World War II and is
48 declared by the United States Department of Defense to be eligible

1 for federal veterans' benefits.

2 s. "Child" means a deceased member's unmarried child either
3 (a) under the age of 18 or (b) of any age who, at the time of the
4 member's death, is disabled because of mental retardation or
5 physical incapacity, is unable to do any substantial, gainful work
6 because of the impairment and the impairment has lasted or can be
7 expected to last for a continuous period of not less than 12 months,
8 as affirmed by the medical board.

9 t. (1) "Widower," for employees of the State, means the man to
10 whom a member was married, or a domestic partner as defined in
11 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
12 the date of her death and to whom she continued to be married or a
13 domestic partner until the date of her death and who was receiving
14 at least one-half of his support from the member in the 12-month
15 period immediately preceding the member's death or the accident
16 which was the direct cause of the member's death. The dependency
17 of such a widower will be considered terminated by marriage of, or
18 establishment of a domestic partnership by, the widower subsequent
19 to the death of the member. In the event of the payment of an
20 accidental death benefit, the five-year qualification shall be waived.

21 (2) Subject to the provisions of paragraph (3) of this subsection,
22 "widower," for employees of public employers other than the State,
23 means the man to whom a member was married at least five years
24 before the date of her death and to whom she continued to be
25 married until the date of her death and who was receiving at least
26 one-half of his support from the member in the 12-month period
27 immediately preceding the member's death or the accident which
28 was the direct cause of the member's death. The dependency of such
29 a widower shall be considered terminated by marriage of the
30 widower subsequent to the death of the member. In the event of the
31 payment of an accidental death benefit, the five-year qualification
32 shall be waived.

33 (3) A public employer other than the State may adopt a
34 resolution providing that the term "widower" as defined in
35 paragraph (2) of this subsection shall include domestic partners as
36 provided in paragraph (1) of this subsection.

37 u. (1) "Widow," for employees of the State, means the woman
38 to whom a member was married, or a domestic partner as defined in
39 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
40 the date of his death and to whom he continued to be married or a
41 domestic partner until the date of his death and who was receiving
42 at least one-half of her support from the member in the 12-month
43 period immediately preceding the member's death or the accident
44 which was the direct cause of the member's death. The dependency
45 of such a widow will be considered terminated by the marriage of,
46 or establishment of a domestic partnership by, the widow
47 subsequent to the member's death. In the event of the payment of an
48 accidental death benefit, the five-year qualification shall be waived.

1 (2) Subject to the provisions of paragraph (3) of this subsection,
2 "widow," for employees of public employers other than the State,
3 means the woman to whom a member was married at least five
4 years before the date of his death and to whom he continued to be
5 married until the date of his death and who was receiving at least
6 one-half of her support from the member in the 12-month period
7 immediately preceding the member's death or the accident which
8 was the direct cause of the member's death. The dependency of such
9 a widow shall be considered terminated by the marriage of the
10 widow subsequent to the member's death. In the event of the
11 payment of an accidental death benefit, the five-year qualification
12 shall be waived.

13 (3) A public employer other than the State may adopt a
14 resolution providing that the term "widower" as defined in
15 paragraph (2) of this subsection shall include domestic partners as
16 provided in paragraph (1) of this subsection.

17 v. "Parent" means the parent of a member who was receiving at
18 least one-half of the parent's support from the member in the 12-
19 month period immediately preceding the member's death or the
20 accident which was the direct cause of the member's death. The
21 dependency of such a parent will be considered terminated by
22 marriage of the parent subsequent to the death of the member.

23 w. "Medical board" means the board of physicians provided for
24 in N.J.S.18A:66-56.

25 x. (1) "Spouse," for employees of the State, means the husband
26 or wife, or domestic partner as defined in section 3 of P.L.2003,
27 c.246 (C.26:8A-3), of a member.

28 (2) Subject to the provisions of paragraph (1) of this subsection,
29 "spouse," for employees of public employers other than the State,
30 means the husband or wife of a member.

31 (3) A public employer other than the State may adopt a
32 resolution providing that the term "spouse" as defined in paragraph
33 (2) of this subsection shall include domestic partners as provided in
34 paragraph (1) of this subsection.

35 (cf: P.L.2007, c.103, s.9)

36

37 5. N.J.S.18A:66-13 is amended to read as follows:

38 18A:66-13. Prior service credit. A member may file a detailed
39 statement of: a. school service and service in a similar capacity in
40 other states and in schools within and outside the United States
41 operated by a department of the United States Government for the
42 instruction of the children of United States Government officers and
43 employees, or b. other public employment in other states or with the
44 United States Government which would be eligible for credit in a
45 State-administered retirement system if the employment was with a
46 public employer in this State, or c. **【military service】** active service
47 in the Armed Forces of the United States or in a reserve component
48 thereof, rendered prior to becoming a member, for which the

1 member desires credit, and of such other facts as the retirement
2 system may require. The member may purchase credit for all or a
3 portion of the service evidenced in the statement up to the nearest
4 number of years and months, but not exceeding 10 years, provided
5 however, that a member purchasing that maximum credit may
6 purchase up to five additional years **【for additional military】** of
7 active service **【qualifying the member as a veteran as defined in**
8 **N.J.S.18A:66-2】** in the Armed Forces of the United States or a
9 reserve component thereof.

10 No application shall be accepted for the purchase of credit for
11 **【such】**: (1) a period of service if, at the time of application, the
12 member has a vested right to retirement benefits in another
13 retirement system based in whole or in part upon that service; or (2)
14 a period of active service in a reserve component of the Armed
15 Forces of the United States that is concurrent with other service
16 described in subsections a. and b. of this section.

17 The member may purchase credit for the service by paying into
18 the annuity savings fund the amount required by applying the
19 factor, supplied by the actuary as being applicable to the member's
20 age at the time of the purchase, to the member's salary at that time,
21 or to the highest annual compensation for service in this State for
22 which contributions were made during any prior fiscal year of
23 membership, whichever is greater. The purchase may be made in
24 regular installments, equal to at least one-half the full normal
25 contribution to the retirement system, over a maximum period of 10
26 years. Neither the State nor the employer of a member who applies
27 to purchase credit for public employment with the United States
28 Government pursuant to subsection b. of this section or for military
29 service pursuant to subsection c. of this section shall be liable for
30 any payment to the retirement system on behalf of the member for
31 the purchase of this credit.

32 Notwithstanding any provision of this act to the contrary, a
33 member shall not be liable for any costs associated with the
34 financing of pension adjustment benefits and health care benefits
35 for retirees when purchasing credit for school service, public
36 employment in other states or with the United States Government,
37 or **【military】** active service in the Armed Forces of the United
38 States or a reserve component thereof.

39 Any member electing to purchase the service who retires prior to
40 completing payments as agreed with the retirement system will
41 receive pro rata credit for service purchased prior to the date of
42 retirement, but if the member so elects at the time of retirement, the
43 member may make the additional lump sum payment required at
44 that time to provide full credit.

45 (cf: P.L.1991, c.153, s.1)

46
47 6. Section 6 of P.L.1954, c.84 (C.43:15A-6) is amended to read
48 as follows:

1 6. As used in this act:

2 a. "Accumulated deductions" means the sum of all the
3 amounts, deducted from the compensation of a member or
4 contributed by or on behalf of the member, standing to the credit of
5 the member's individual account in the annuity savings fund.

6 b. "Annuity" means payments for life derived from the
7 accumulated deductions of a member as provided in this act.

8 c. "Annuity reserve" means the present value of all payments
9 to be made on account of any annuity or benefit in lieu of an
10 annuity, granted under the provisions of this act, computed on the
11 basis of such mortality tables recommended by the actuary as the
12 board of trustees adopts, with regular interest.

13 d. "Beneficiary" means any person receiving a retirement
14 allowance or other benefit as provided in this act.

15 e. "Child" means a deceased member's unmarried child either
16 (1) under the age of 18 or (2) of any age who, at the time of the
17 member's death, is disabled because of mental retardation or
18 physical incapacity, is unable to do any substantial, gainful work
19 because of the impairment and the impairment has lasted or can be
20 expected to last for a continuous period of not less than 12 months,
21 as affirmed by the medical board.

22 f. "Parent" shall mean the parent of a member who was
23 receiving at least 1/2 of the parent's support from the member in the
24 12-month period immediately preceding the member's death or the
25 accident which was the direct cause of the member's death. The
26 dependency of such a parent will be considered terminated by
27 marriage of the parent subsequent to the death of the member.

28 g. (1) "Widower," for employees of the State, means the man to
29 whom a member was married, or a domestic partner as defined in
30 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
31 the date of her death and to whom she continued to be married or a
32 domestic partner until the date of her death and who was receiving
33 at least 1/2 of his support from the member in the 12-month period
34 immediately preceding the member's death or the accident which
35 was the direct cause of the member's death. The dependency of such
36 a widower will be considered terminated by marriage of, or
37 establishment of a domestic partnership by, the widower subsequent
38 to the death of the member. In the event of the payment of an
39 accidental death benefit, the five-year qualification shall be waived.

40 (2) Subject to the provisions of paragraph (3) of this subsection,
41 "widower," for employees of public employers other than the State,
42 means the man to whom a member was married at least five years
43 before the date of her death and to whom she continued to be
44 married until the date of her death and who was receiving at least
45 1/2 of his support from the member in the 12-month period
46 immediately preceding the member's death or the accident which
47 was the direct cause of the member's death. The dependency of such
48 a widower shall be considered terminated by marriage of the

1 widower subsequent to the death of the member. In the event of the
2 payment of an accidental death benefit, the five-year qualification
3 shall be waived.

4 (3) A public employer other than the State may adopt a
5 resolution providing that the term "widower" as defined in
6 paragraph (2) of this subsection shall include domestic partners as
7 provided in paragraph (1) of this subsection.

8 h. "Final compensation" means the average annual
9 compensation for which contributions are made for the three years
10 of creditable service in New Jersey immediately preceding the
11 member's retirement or death, or it shall mean the average annual
12 compensation for New Jersey service for which contributions are
13 made during any three fiscal years of his or her membership
14 providing the largest possible benefit to the member or the
15 member's beneficiary.

16 i. "Fiscal year" means any year commencing with July 1 and
17 ending with June 30 next following.

18 j. "Medical board" shall mean the board of physicians
19 provided for in section 17 (C.43:15A-17).

20 k. "Pension" means payments for life derived from
21 appropriations made by the employer as provided in this act.

22 l. "Pension reserve" means the present value of all payments to
23 be made on account of any pension or benefit in lieu of a pension
24 granted under the provisions of this act, computed on the basis of
25 such mortality tables recommended by the actuary as the board of
26 trustees adopts, with regular interest.

27 m. "Public Employees' Retirement System of New Jersey,"
28 hereinafter referred to as the "retirement system" or "system," is the
29 corporate name of the arrangement for the payment of retirement
30 allowances and other benefits under the provisions of this act
31 including the several funds placed under said system. By that name
32 all of its business shall be transacted, its funds invested, warrants
33 for money drawn, and payments made and all of its cash and
34 securities and other property held.

35 n. "Regular interest" shall mean interest as determined by the
36 State Treasurer, after consultation with the Directors of the
37 Divisions of Investment and Pensions, the board of trustees and the
38 actuary. It shall bear a reasonable relationship to the percentage rate
39 of earnings on investments based on the market value of the assets
40 but shall not exceed the assumed percentage rate of increase applied
41 to salaries plus 3%, provided however that the board of trustees
42 shall not set the average percentage rate of increase applied to
43 salaries below 6%.

44 o. "Retirement allowance" means the pension plus the annuity.

45 p. "Veteran" means any [honorably discharged officer, soldier,
46 sailor, airman, marine or nurse who served in any Army, Air Force
47 or Navy of the Allies of the United States in World War I, between
48 July 14, 1914, and November 11, 1918, or who served in any Army,

1 Air Force or Navy of the Allies of the United States in World War
2 II, between September 1, 1939, and September 2, 1945, and who
3 was inducted into such service through voluntary enlistment, and
4 was a citizen of the United States at the time of such enlistment, and
5 who did not, during or by reason of such service, renounce or lose
6 United States citizenship, and any officer, soldier, sailor, marine,
7 airman, nurse or army field clerk, who has served in the active
8 military or naval service of the United States】 person who (1)
9 served at least 90 days of active service in the Armed Forces of the
10 United States, excluding any period of service for basic training or
11 as a cadet or midshipman at one of the service academies, or (2)
12 served as a member of a reserve component of the Armed Forces of
13 the United States for an entire period for which called to federal
14 active service, not including active duty for training, and has 【or
15 shall be】 been discharged or released therefrom under conditions
16 other than dishonorable【, in any of the following wars, uprisings,
17 insurrections, expeditions, or emergencies,】 and who has presented
18 to the 【retirement system】 Adjutant General of the Department of
19 Military and Veterans' Affairs evidence of such record of service in
20 form and content satisfactory to 【said retirement system:

21 (1) The Indian wars and uprisings during any of the periods
22 recognized by the War Department of the United States as periods
23 of active hostility;

24 (2) The Spanish-American War between April 20, 1898, and
25 April 11, 1899;

26 (3) The Philippine insurrections and expeditions during the
27 periods recognized by the War Department of the United States as
28 of active hostility from February 4, 1899, to the end of 1913;

29 (4) The Peking relief expedition between June 20, 1900, and
30 May 27, 1902;

31 (5) The army of Cuban occupation between July 18, 1898, and
32 May 20, 1902;

33 (6) The army of Cuban pacification between October 6, 1906,
34 and April 1, 1909;

35 (7) The Mexican punitive expedition between March 14, 1916,
36 and February 7, 1917;

37 (8) The Mexican border patrol, having actually participated in
38 engagements against Mexicans between April 12, 1911, and June
39 16, 1919;

40 (9) World War I, between April 6, 1917, and November 11,
41 1918;

42 (10) World War II, between September 16, 1940, and December
43 31, 1946, who shall have served at least 90 days in such active
44 service, exclusive of any period of assignment (1) for a course of
45 education or training under the Army Specialized Training Program
46 or the Navy College Training Program which course was a
47 continuation of a civilian course and was pursued to completion, or

1 (2) as a cadet or midshipman at one of the service academies any
2 part of which 90 days was served between said dates; provided, that
3 any person receiving an actual service-incurred injury or disability
4 shall be classed as a veteran whether or not that person has
5 completed the 90-day service as herein provided;

6 (11) Korean conflict on or after June 23, 1950, and on or prior to
7 January 31, 1955, who shall have served at least 90 days in such
8 active service, exclusive of any period of assignment (1) for a
9 course of education or training under the Army Specialized
10 Training Program or the Navy College Training Program which
11 course was a continuation of a civilian course and was pursued to
12 completion, or (2) as a cadet or midshipman at one of the service
13 academies, any part of which 90 days was served between said
14 dates; provided, that any person receiving an actual service-incurred
15 injury or disability shall be classed as a veteran whether or not that
16 person has completed the 90-day service as herein provided; and
17 provided further, that any member classed as a veteran pursuant to
18 this paragraph prior to August 1, 1966, shall continue to be classed
19 as a veteran whether or not that person completed the 90-day
20 service between said dates as herein provided;

21 (12) Lebanon crisis, on or after July 1, 1958, who has served in
22 Lebanon or on board any ship actively engaged in patrolling the
23 territorial waters of that nation for a period, continuous or in the
24 aggregate, of at least 14 days commencing on or before November
25 1, 1958 or the date of termination of that conflict, as proclaimed by
26 the President of the United States or Congress, whichever date of
27 termination is the latest, in such active service; provided, that any
28 person receiving an actual service-incurred injury or disability shall
29 be classed as a veteran whether or not that person has completed the
30 14 days' service as herein provided;

31 (13) Vietnam conflict on or after December 31, 1960, and on or
32 prior to May 7, 1975, who shall have served at least 90 days in such
33 active service, exclusive of any period of assignment (1) for a
34 course of education or training under the Army Specialized
35 Training Program or the Navy College Training Program which
36 course was a continuation of a civilian course and was pursued to
37 completion, or (2) as a cadet or midshipman at one of the service
38 academies, any part of which 90 days was served between said
39 dates; and exclusive of any service performed pursuant to the
40 provisions of section 511(d) of Title 10, United States Code,
41 pursuant to an enlistment in the Army National Guard or as a
42 reserve for service in the Army Reserve, Naval Reserve, Air Force
43 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
44 that any person receiving an actual service-incurred injury or
45 disability shall be classed as a veteran whether or not that person
46 has completed the 90 days' service as herein provided;

47 (14) Lebanon peacekeeping mission, on or after September 26,
48 1982, who has served in Lebanon or on board any ship actively

1 engaged in patrolling the territorial waters of that nation for a
2 period, continuous or in the aggregate, of at least 14 days
3 commencing on or before December 1, 1987 or the date of
4 termination of that mission, as proclaimed by the President of the
5 United States or Congress, whichever date of termination is the
6 latest, in such active service; provided, that any person receiving an
7 actual service-incurred injury or disability shall be classed as a
8 veteran whether or not that person has completed the 14 days'
9 service as herein provided;

10 (15) Grenada peacekeeping mission, on or after October 23,
11 1983, who has served in Grenada or on board any ship actively
12 engaged in patrolling the territorial waters of that nation for a
13 period, continuous or in the aggregate, of at least 14 days
14 commencing on or before November 21, 1983 or the date of
15 termination of that mission, as proclaimed by the President of the
16 United States or Congress, whichever date of termination is the
17 latest, in such active service; provided, that any person receiving an
18 actual service-incurred injury or disability shall be classed as a
19 veteran whether or not that person has completed the 14 days'
20 service as herein provided;

21 (16) Panama peacekeeping mission, on or after December 20,
22 1989 or the date of inception of that mission, as proclaimed by the
23 President of the United States or Congress, whichever date of
24 inception is earliest, who has served in Panama or on board any ship
25 actively engaged in patrolling the territorial waters of that nation for
26 a period, continuous or in the aggregate, of at least 14 days
27 commencing on or before January 31, 1990 or the date of
28 termination of that mission, as proclaimed by the President of the
29 United States or Congress, whichever date of termination is the
30 latest, in such active service; provided, that any person receiving an
31 actual service-incurred injury or disability shall be classed as a
32 veteran whether or not that person has completed the 14 days'
33 service as herein provided;

34 (17) Operation "Desert Shield/Desert Storm" mission in the
35 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
36 or the date of inception of that operation, as proclaimed by the
37 President of the United States or Congress, whichever date of
38 inception is earliest, who has served in the Arabian peninsula or on
39 board any ship actively engaged in patrolling the Persian Gulf for a
40 period, continuous or in the aggregate, of at least 14 days
41 commencing on or before the date of termination of that mission, as
42 proclaimed by the President of the United States or Congress,
43 whichever date of termination is the latest, in such active service;
44 provided, that any person receiving an actual service-incurred injury
45 or disability shall be classed as a veteran whether or not that person
46 has completed the 14 days' service as herein provided;

47 (18) Operation Northern Watch and Operation Southern Watch,
48 on or after August 27, 1992, or the date of inception of that

1 operation, as proclaimed by the President of the United States,
2 Congress or United States Secretary of Defense, whichever date of
3 inception is earliest, who served in the theater of operation,
4 including in the Arabian peninsula and the Persian Gulf, and in
5 direct support of that operation for a period, continuously or in the
6 aggregate, of at least 14 days in such active service, commencing on
7 or before the date of termination of that operation, as proclaimed by
8 the President of the United States, Congress or United States
9 Secretary of Defense, whichever date of termination is the latest;
10 provided, that any person receiving an actual service-incurred injury
11 or disability while engaged in such service shall be classed as a
12 veteran whether or not that person has completed the 14 days'
13 service as herein provided;

14 (19) Operation "Restore Hope" in Somalia, on or after
15 December 5, 1992, or the date of inception of that operation as
16 proclaimed by the President of the United States or Congress,
17 whichever date is earliest, who has served in Somalia or on board
18 any ship actively engaged in patrolling the territorial waters of that
19 nation for a period, continuously or in the aggregate, of at least 14
20 days in such active service commencing on or before March 31,
21 1994; provided that any person receiving an actual service-incurred
22 injury or disability shall be classed as a veteran whether or not that
23 person has completed the 14-day service as herein provided;

24 (20) Operations "Joint Endeavor" and "Joint Guard" in the
25 Republic of Bosnia and Herzegovina, on or after November 20,
26 1995, who served in such active service in direct support of one or
27 both of the operations for at least 14 days, continuously or in the
28 aggregate, commencing on or before June 20, 1998 and (1) was
29 deployed in that nation or in another area in the region, or (2) was
30 on board a United States naval vessel operating in the Adriatic Sea,
31 or (3) operated in airspace above the Republic of Bosnia and
32 Herzegovina; provided that any person receiving an actual service-
33 incurred injury or disability shall be classed as a veteran whether or
34 not that person completed the 14-day service requirement;

35 (21) Operation "Enduring Freedom", on or after September 11,
36 2001, who served in a theater of operation and in direct support of
37 that operation for a period, continuously or in the aggregate, of at
38 least 14 days in such active service commencing on or before the
39 date the President of the United States or the United States
40 Secretary of Defense designates as the termination date of that
41 operation; provided, that any person receiving an actual service-
42 incurred injury or disability while engaged in such service shall be
43 classed as a veteran whether or not that person has completed the 14
44 days' service as herein provided; and

45 (22) Operation "Iraqi Freedom", on or after the date the
46 President of the United States or the United States Secretary of
47 Defense designates as the inception date of that operation, who
48 served in Iraq or in another area in the region in direct support of

1 that operation for a period, continuously or in the aggregate, of at
2 least 14 days in such active service commencing on or before the
3 date the President of the United States or the United States
4 Secretary of Defense designates as the termination date of that
5 operation; provided, that any person receiving an actual service-
6 incurred injury or disability while engaged in such service shall be
7 classed as a veteran whether or not that person has completed the 14
8 days' service as herein provided.] the Adjutant General.

9 A person who served fewer than 90 days of active service or who
10 served less than the entire period to which called to active service
11 shall be classed as a veteran if that person has been discharged or
12 released under conditions other than dishonorable as a result of a
13 service-connected disability incurred as a result of such service.

14 "Veteran" also means any honorably discharged member of the
15 American Merchant Marine who served during World War II and is
16 declared by the United States Department of Defense to be eligible
17 for federal veterans' benefits.

18 q. (1) "Widow," for employees of the State, means the woman
19 to whom a member was married, or a domestic partner as defined in
20 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
21 the date of his death and to whom he continued to be married or a
22 domestic partner until the date of his death and who was receiving
23 at least 1/2 of her support from the member in the 12-month period
24 immediately preceding the member's death or the accident which
25 was the direct cause of the member's death. The dependency of such
26 a widow will be considered terminated by the marriage of, or
27 establishment of a domestic partnership by, the widow subsequent
28 to the member's death. In the event of the payment of an accidental
29 death benefit, the five-year qualification shall be waived.

30 (2) Subject to the provisions of paragraph (3) of this subsection,
31 "widow," for employees of public employers other than the State,
32 means the woman to whom a member was married at least five
33 years before the date of his death and to whom he continued to be
34 married until the date of his death and who was receiving at least
35 1/2 of her support from the member in the 12-month period
36 immediately preceding the member's death or the accident which
37 was the direct cause of the member's death. The dependency of such
38 a widow shall be considered terminated by the marriage of the
39 widow subsequent to the member's death. In the event of the
40 payment of an accidental death benefit, the five-year qualification
41 shall be waived.

42 (3) A public employer other than the State may adopt a
43 resolution providing that the term "widow" as defined in paragraph
44 (2) of this subsection shall include domestic partners as provided in
45 paragraph (1) of this subsection.

46 r. (1) "Compensation" means the base or contractual salary, for
47 services as an employee, which is in accordance with established
48 salary policies of the member's employer for all employees in the

1 same position but shall not include individual salary adjustments
2 which are granted primarily in anticipation of the member's
3 retirement or additional remuneration for performing temporary or
4 extracurricular duties beyond the regular workday or the regular
5 work year.

6 (2) In the case of a person who becomes a member of the
7 retirement system on or after July 1, 2007, "compensation" means
8 the amount of base or contractual salary equivalent to the annual
9 maximum wage contribution base for Social Security, pursuant to
10 the Federal Insurance Contributions Act, for services as an
11 employee, which is in accordance with established salary policies of
12 the member's employer for all employees in the same position but
13 shall not include individual salary adjustments which are granted
14 primarily in anticipation of the member's retirement or additional
15 remuneration for performing temporary or extracurricular duties
16 beyond the regular workday or the regular work year. This
17 paragraph shall not apply to a person who at the time of enrollment
18 in the retirement system on or after July 1, 2007 transfers service
19 credit from another State-administered retirement system pursuant
20 to section 14 of P.L.1954, c.84 (C.43:15A-14), but shall apply to a
21 former member of the retirement system who has been granted a
22 retirement allowance and is reenrolled in the retirement system on
23 or after July 1, 2007 pursuant to section 27 of P.L.1966,
24 c.217 (C.43:15A-57.2) after becoming employed again in a position
25 that makes the person eligible to be a member of the retirement
26 system.

27 In cases where salary includes maintenance, the retirement
28 system shall fix the value of that part of the salary not paid in
29 money which shall be considered under this act.

30 (cf: P.L.2007, c.103, s.10)

31
32 7. Section 4 of P.L.2001, c.127 (C.43:15A-24a) is amended to
33 read as follows:

34 4. The State shall be liable for any increased cost to local
35 government employers participating in the **【Public Employees'**
36 **Retirement System, established pursuant to P.L.1954,**
37 **c.84 (C.43:15A-1 et seq.),】** retirement system as a result of the
38 provisions of **【this act, P.L.2001, c.127】** P.L. _____,
39 c. (now before the Legislature as this bill).

40 (cf: P.L.2001, c.127, s.4)

41
42 8. Section 2 of P.L.1963, c.19 (C.43:15A-73.1) is amended to
43 read as follows:

44 2. A member may file a detailed statement of public
45 employment in other states or with the United States Government
46 which would be eligible for credit in a State-administered
47 retirement system if the employment was with a public employer in
48 this State, or of **【military service】** active service in the Armed

1 Forces of the United States, or in a reserve component thereof, or of
2 service resulting from initial appointment or employment on or after
3 January 1, 2002 with a bi-state or multi-state agency established
4 pursuant to an interstate compact to which the State is a party which
5 would be eligible for credit in a State-administered retirement
6 system if the employment was with a public employer in this State,
7 rendered prior to becoming a member, for which the member
8 desires credit, and of such other facts as the retirement system may
9 require. The member may purchase credit for all or a portion of the
10 service evidenced in the statement up to the nearest number of years
11 and months, but not exceeding 10 years, provided however, that a
12 member purchasing that maximum credit may purchase up to five
13 additional years **【for additional military】** of active service
14 **【qualifying the member as a veteran as defined in section 6 of**
15 **P.L.1954, c.84, (C.43:15A-6)】** in the Armed Forces of the United
16 States or a reserve component thereof.

17 No application shall be accepted for the purchase of credit for
18 **【the】** : (1) a period of service if, at the time of application, the
19 member has a vested right to retirement benefits in another
20 retirement system based in whole or in part upon that service ; or
21 (2) a period of active service in a reserve component of the Armed
22 Forces of the United States that is concurrent with other service
23 described in the preceding paragraph.

24 The member may purchase credit for the service by paying into
25 the annuity savings fund the amount required by applying the
26 factor, supplied by the actuary as being applicable to the member's
27 age at the time of the purchase, to the member's salary at that time,
28 or to the highest annual compensation for service in this State for
29 which contributions were made during any prior fiscal year of
30 membership, whichever is greater. The purchase may be made in
31 regular installments, equal to at least 1/2 of the full normal
32 contribution to the retirement system, over a maximum period of 10
33 years. The employer of a member who applies, pursuant to this
34 section, to purchase credit for public employment with the United
35 States Government or for military service in the Armed Forces of
36 the United States shall not be liable for any payment to the
37 retirement system on behalf of the member for the purchase of this
38 credit.

39 Notwithstanding any provision of this act to the contrary, a
40 member shall not be liable for any costs associated with the
41 financing of pension adjustment benefits and health care benefits
42 for retirees when purchasing credit for public employment in other
43 states or with the United States Government or **【military】** active
44 service in the Armed Forces of the United States, a reserve
45 component thereof, or with a bi-state or multi-state agency.

46 Any member electing to make a purchase pursuant to this section
47 who retires prior to completing payments as agreed with the
48 retirement system will receive pro rata credit for the purchase prior

1 to the date of retirement, but if the member so elects at the time of
2 retirement, the member may make the additional lump sum payment
3 required at that time to provide full credit.

4 (cf: P.L.2003, c.263, s.2)

5
6 9. Section 3 of P.L.1991, c.153 (C.43:16A-11.11) is amended
7 to read as follows:

8 3. A member of the Police and Firemen's Retirement System
9 may file a detailed statement of public employment in other states
10 or with the United States Government which would be eligible for
11 credit in a State-administered retirement system if the employment
12 was with a public employer in this State, or of **【military service】**
13 active service in the Armed Forces of the United States or in a
14 reserve component thereof, rendered prior to becoming a member,
15 for which the member desires credit, and of such other facts as the
16 retirement system may require. The member may purchase credit
17 for all or a portion of the service evidenced in the statement up to
18 the nearest number of years and months, but not exceeding 10
19 years, provided however, that a member purchasing that maximum
20 credit may purchase up to five additional years **【for additional**
21 **military】** of active service **【qualifying the member as a veteran as**
22 **defined in section 1 of P.L.1983, c.391 (C.43:16A-11.7)】** in the
23 Armed Forces of the United States or a reserve component thereof.

24 No application shall be accepted for the purchase of credit for
25 **【the】**: (1) a period of service if, at the time of application, the
26 member has a vested right to retirement benefits in another
27 retirement system based in whole or in part upon that service; or (2)
28 a period of active service in a reserve component of the Armed
29 Forces of the United States that is concurrent with other service
30 described in the preceding paragraph.

31 The member may purchase credit for the service by paying into
32 the annuity savings fund the amount required by applying the
33 factor, supplied by the actuary as being applicable to the member's
34 age at the time of the purchase, to the member's salary at that time,
35 or to the highest annual compensation for service in this State for
36 which contributions were made during any prior fiscal year of
37 membership, whichever is greater. The purchase may be made in
38 regular installments equal to at least 1/2 of the full normal
39 contribution to the retirement system, over a maximum period of 10
40 years. The employer of a member who applies, pursuant to this
41 section, to purchase credit for public employment with the United
42 States Government or for military service in the Armed Forces of
43 the United States shall not be liable for any payment to the
44 retirement system on behalf of the member for the purchase of this
45 credit.

46 Notwithstanding any provision of this act to the contrary, a
47 member shall not be liable for any costs associated with the
48 financing of pension adjustment benefits and health care benefits

1 for retirees when purchasing credit for public employment in other
2 states or with the United States Government or **【military】** active
3 service in the Armed Forces of the United States or a reserve
4 component thereof.

5 Any member electing to purchase the service who retires prior to
6 completing payments as agreed with the retirement system will
7 receive pro rata credit for service purchased prior to the date of
8 retirement, but if the member so elects at the time of retirement, the
9 member may make the additional lump sum payment required at
10 that time to provide full credit.

11 (cf: P.L.1991, c.153, s.3)

12
13 10. Section 1 of P.L.1948, c.259 (C.54:4-3.30) is amended to
14 read as follows:

15 1. a. The dwelling house and the lot or curtilage whereon the
16 same is erected, of any **【citizen and】** resident of this State, **【now or**
17 **hereafter】** honorably discharged or released under honorable
18 circumstances **【,】** from **【active service, in time of war, in any**
19 **branch of】** the Armed Forces of the United States or a reserve
20 component thereof, who has been **【or shall be】** declared by the
21 United States **【Veterans Administration】** Department of Veterans'
22 Affairs or its successor to have a service-connected **【disability from**
23 **paraplegia, sarcoidosis, osteochondritis resulting in permanent loss**
24 **of the use of both legs, or permanent paralysis of both legs and**
25 **lower parts of the body, or from hemiplegia and has permanent**
26 **paralysis of one leg and one arm or either side of the body, resulting**
27 **from injury to the spinal cord, skeletal structure, or brain or from**
28 **disease of the spinal cord not resulting from any form of syphilis; or**
29 **from total blindness; or from amputation of both arms or both legs,**
30 **or both hands or both feet, or the combination of a hand and a foot;**
31 **or from other service-connected disability declared by the United**
32 **States Veterans Administration or its successor to be a total or】**
33 **100% total and permanent disability 【, and not so evaluated solely**
34 **because of hospitalization or surgery and recuperation, sustained**
35 **through enemy action, or accident, or resulting from disease**
36 **contracted while in such active service,】** shall be exempt from
37 taxation, on proper claim made therefor **【, and such】**.

38 An exemption under this act, P.L.1948, c.259 (C.54:4-3.30 et
39 seq.), shall be in addition to any other exemption of such person's
40 real **【and personal】** property which **【now】** is **【or hereafter shall be】**
41 prescribed or allowed by the Constitution or by law but no taxpayer
42 shall be allowed more than one exemption under this act.

43 b. The surviving spouse of any such **【citizen and】** resident of
44 this State, who at the time of death was entitled to the exemption
45 provided under this act, shall be entitled, on proper claim made
46 therefor, to the same exemption **【as the deceased had】**, during the

1 surviving spouse's widowhood or widowerhood [, as the case may
2 be,] and while a resident of this State, [for the time] provided that
3 the surviving spouse is the legal owner [thereof and actually
4 occupies the said] and occupant of the dwelling house [or any other
5 dwelling house thereafter acquired] for which the exemption is
6 claimed.

7 c. The surviving spouse of any [citizen and] resident of this
8 State, who died in active service in [time of war in any branch of]
9 the Armed Forces of the United States or a reserve component
10 thereof as a result of a service-connected injury or disease, shall be
11 entitled, on proper claim made therefor, to an exemption from
12 taxation on the dwelling house and lot or curtilage whereon the
13 same is erected, during the surviving spouse's widowhood or
14 widowerhood [, as the case may be,] and while a resident of this
15 State, [for the time] provided that the surviving spouse is the legal
16 owner [thereof and actually occupies the said dwelling or any
17 other] and occupant of the dwelling house [thereafter acquired] for
18 which the exemption is claimed.

19 d. The surviving spouse of any citizen and resident of this State
20 who died prior to [January 10, 1972, that being] the effective date
21 of [P.L.1971, c.398] P.L. , c. (C.)(now pending before the
22 Legislature as this bill), and whose circumstances were such that,
23 had said law become effective during the deceased's lifetime, the
24 deceased would have become eligible for the exemption granted
25 under this section as amended by said law, shall be entitled, on
26 proper claim made therefor, to the same exemption [as the deceased
27 would have become eligible for upon the dwelling house and lot or
28 curtilage occupied by the deceased at the time of death,] during the
29 surviving spouse's widowhood or widowerhood [, as the case may
30 be,] and while a resident of this State, [for the time] provided that
31 the surviving spouse is the legal owner [thereof and actually
32 occupies the said] and occupant of the dwelling house [on the
33 premises to be exempted.

34 e. Nothing in this act shall be intended to include paraplegia or
35 hemiplegia resulting from locomotor ataxia or other forms of
36 syphilis of the central nervous system, or from chronic alcoholism,
37 or to include other forms of disease resulting from the veteran's own
38 misconduct which may produce signs and symptoms similar to
39 those resulting from paraplegia, osteochondritis, or hemiplegia] for
40 which the exemption is claimed.

41 (cf: P.L.1985, c.515, s.2)

42
43 11. Section 2 of P.L.1948, c.259 (C.54:4-3.31) is amended to
44 read as follows:

45 2. [All exemptions from taxation under this act shall be allowed
46 by the assessor upon the filing with him of a claim in writing under

1 oath, made by or on behalf of the person claiming the same,
 2 showing the right to the exemption, briefly describing **】** A municipal
 3 tax assessor shall allow an exemption under section 1 of P.L.1948,
 4 c.259 (C.54:4-3.30) to a claimant when the claimant, or a person
 5 acting on behalf of the claimant, files with the assessor a claim in
 6 writing under oath that contains: (1) a brief description of the
 7 property for which exemption is claimed **【**and having annexed
 8 thereto **】**; (2) a certificate of the claimant's honorable discharge or
 9 release under honorable circumstances **【,** in
 10 time of war, **】** in **【**any branch of the armed forces **】** the Armed
 11 Forces of the United States or a reserve component thereof; and (3)
 12 a certificate from the United States **【Veterans Administration**
 13 **Department of Veterans' Affairs** or its successor, certifying to a
 14 service-connected disability of **【such** **】** the claimant of the character
 15 described in section 1 of **【this act** **】** P.L.1948, c.259 (C.54:4-3.30).
 16 In the case of a claim by a surviving spouse of such veteran, the
 17 claimant shall establish in writing under oath that (1) the claimant is
 18 the owner of the legal title to the premises on which exemption is
 19 claimed; (2) that the claimant occupies the dwelling house on said
 20 premises as the claimant's legal residence in this State; (3) that the
 21 veteran **【shall have been** **】** was declared by the United States
 22 **【Veterans Administration** **Department of Veterans' Affairs** to have
 23 a service-connected disability of a character described in **【this act**
 24 section 1 of P.L.1948, c.259 (C.54:4-3.30), or, in the case of a claim
 25 for an exemption under subsection c. of **【section 1 of this act**
 26 (C.54:4-3.30) **】** that section, that the veteran **【shall have been** **】** was
 27 declared to have died in active service **【in time of war** **】**; (4) that the
 28 veteran was entitled to an exemption provided **【for in this act**
 29 under section 1 of P.L.1948, c.259 (C.54:4-3.30), except for an
 30 exemption under subsection c. or d. of section 1 **【hereof** **】** of that
 31 section, at the time of death; and (5) that the claimant is a resident
 32 of this State and has not remarried.

33 **【Such exemptions** **】** Exemptions provided for under section 1 of
 34 P.L.1948, c.259 (C.54:4-3.30 et seq.) shall be allowed and prorated
 35 by the assessor for the remainder of any taxable year from the date
 36 the claimant shall have acquired title to the real property intended to
 37 be exempt by this act. Where a portion of a multiple-family
 38 building or structure occupied by the claimant is the subject of such
 39 exemption, the assessor shall aggregate the assessment on the lot or
 40 curtilage and building or structure and allow an exemption of that
 41 percentage of the aggregate assessment as the value of the portion
 42 of the building or structure occupied by the claimant bears to the
 43 value of the entire building or structure.
 44 (cf: P.L.1985, c.515, s.3)

45

46 12. Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to

1 read as follows:

2 1. (a) ["Active service in time of war" means active service at
3 some time during one of the following periods:

4 Operation "Iraqi Freedom", on or after the date the President of
5 the United States or the United States Secretary of Defense
6 designates as the inception date of that operation, who served in
7 Iraq or in another area in the region in direct support of that
8 operation for a period, continuously or in the aggregate, of at least
9 14 days in such active service commencing on or before the date the
10 President of the United States or the United States Secretary of
11 Defense designates as the termination date of that operation;
12 provided, that any person receiving an actual service-incurred injury
13 or disability while engaged in such service shall be classed as a
14 veteran whether or not that person has completed the 14 days'
15 service as herein provided;

16 Operation "Enduring Freedom", on or after September 11, 2001,
17 who served in a theater of operation and in direct support of that
18 operation for a period, continuously or in the aggregate, of at least
19 14 days in such active service commencing on or before the date the
20 President of the United States or the United States Secretary of
21 Defense designates as the termination date of that operation;
22 provided, that any person receiving an actual service-incurred injury
23 or disability while engaged in such service shall be classed as a
24 veteran whether or not that person has completed the 14 days'
25 service as herein provided;

26 Operation "Restore Hope" in Somalia, on or after December 5,
27 1992, or the date of inception of that operation as proclaimed by the
28 President of the United States or Congress, whichever date is
29 earliest, who has served in Somalia or on board any ship actively
30 engaged in patrolling the territorial waters of that nation for a
31 period, continuously or in the aggregate, of at least 14 days in such
32 active service commencing on or before March 31, 1994; provided
33 that any person receiving an actual service-incurred injury or
34 disability shall be classed as a veteran whether or not that person
35 has completed the 14-day service as herein provided;

36 Operations "Joint Endeavor" and "Joint Guard" in the Republic
37 of Bosnia and Herzegovina, on or after November 20, 1995, who
38 served in such active service in direct support of one or both of the
39 operations for at least 14 days, continuously or in the aggregate,
40 commencing on or before June 20, 1998, and (1) was deployed in
41 that nation or in another area in the region, or (2) was on board a
42 United States naval vessel operating in the Adriatic Sea, or (3)
43 operated in airspace above the Republic of Bosnia and
44 Herzegovina; provided that any person receiving an actual service-
45 incurred injury or disability shall be classed as a veteran whether or
46 not that person completed the 14-day service requirement;

47 Operation Northern Watch and Operation Southern Watch, on or
48 after August 27, 1992, or the date of inception of that operation, as

1 proclaimed by the President of the United States, Congress or
2 United States Secretary of Defense, whichever date of inception is
3 earliest, who served in the theater of operation, including in the
4 Arabian peninsula and the Persian Gulf, and in direct support of that
5 operation for a period, continuously or in the aggregate, of at least
6 14 days in such active service, commencing on or before the date of
7 termination as proclaimed by the President of the United States,
8 Congress or United States Secretary of Defense, whichever date of
9 termination is the latest; provided, that any person receiving an
10 actual service-incurred injury or disability while engaged in such
11 service shall be classed as a veteran whether or not that person has
12 completed the 14 days' service as herein provided;

13 Operation "Desert Shield/Desert Storm" mission in the Arabian
14 peninsula and the Persian Gulf, on or after August 2, 1990 or the
15 date of inception of that operation, as proclaimed by the President
16 of the United States or Congress, whichever date of inception is
17 earliest, who has served in the Arabian peninsula or on board any
18 ship actively engaged in patrolling the Persian Gulf for a period,
19 continuous or in the aggregate, of at least 14 days commencing on
20 or before the date of termination of that mission, as proclaimed by
21 the President of the United States or Congress, whichever date of
22 termination is the latest, in such active service; provided, that any
23 person receiving an actual service-incurred injury or disability shall
24 be classed as a veteran whether or not that person has completed the
25 14 days' service as herein provided;

26 The Panama peacekeeping mission, on or after December 20,
27 1989 or the date of inception of that mission, as proclaimed by the
28 President of the United States or Congress, whichever date of
29 inception is earliest, who has served in Panama or on board any ship
30 actively engaged in patrolling the territorial waters of that nation for
31 a period, continuous or in the aggregate, of at least 14 days
32 commencing on or before January 31, 1990 or the date of
33 termination of that mission, as proclaimed by the President of the
34 United States or Congress, whichever date of termination is the
35 latest, in such active service; provided, that any person receiving an
36 actual service-incurred injury or disability shall be classed as a
37 veteran whether or not that person has completed the 14 days'
38 service as herein provided;

39 The Grenada peacekeeping mission, on or after October 23,
40 1983, who has served in Grenada or on board any ship actively
41 engaged in patrolling the territorial waters of that nation for a
42 period, continuous or in the aggregate, of at least 14 days
43 commencing on or before November 21, 1983 or the date of
44 termination of that mission as proclaimed by the President of the
45 United States or Congress, whichever date of termination is the
46 latest, in such active service; provided, that any person receiving an
47 actual service-incurred injury or disability shall be classed as a

1 veteran whether or not that person has completed the 14 days'
2 service as herein provided;

3 The Lebanon peacekeeping mission, on or after September 26,
4 1982, who has served in Lebanon or on board any ship actively
5 engaged in patrolling the territorial waters of that nation for a
6 period, continuous or in the aggregate, of at least 14 days
7 commencing on or before December 1, 1987 or the date of
8 termination of that mission, as proclaimed by the President of the
9 United States or Congress, whichever date of termination is the
10 latest, in such active service; provided, that any person receiving an
11 actual service-incurred injury or disability shall be classed as a
12 veteran whether or not that person has completed the 14 days'
13 service as herein provided;

14 The Vietnam conflict, December 31, 1960, to May 7, 1975;

15 The Lebanon crisis, on or after July 1, 1958, who has served in
16 Lebanon or on board any ship actively engaged in patrolling the
17 territorial waters of that nation for a period, continuous or in the
18 aggregate, of at least 14 days commencing on or before November
19 1, 1958 or the date of termination of that conflict, as proclaimed by
20 the President of the United States or Congress, whichever date of
21 termination is the latest, in such active service; provided, that any
22 person receiving an actual service-incurred injury or disability shall
23 be classed as a veteran whether or not that person has completed the
24 14 days' service as herein provided;

25 The Korean conflict, June 23, 1950 to January 31, 1955;

26 World War II, September 16, 1940 to December 31, 1946;

27 World War I, April 6, 1917 to November 11, 1918, and in the
28 case of service with the United States military forces in Russia,
29 April 6, 1917 to April 1, 1920;

30 Spanish-American War, April 21, 1898 to August 13, 1898;

31 Civil War, April 15, 1861 to May 26, 1865; or, as to any
32 subsequent war, during the period from the date of declaration of
33 war to the date on which actual hostilities shall cease **Deleted by**
34 amendment, P.L. , c. (C.)(now before the Legislature as this
35 bill).

36 (b) "Assessor" means the assessor, board of assessors or any
37 other official or body of a taxing district charged with the duty of
38 assessing real and personal property for the purpose of general
39 taxation.

40 (c) "Collector" means the collector or receiver of taxes of a
41 taxing district.

42 (d) "Honorably discharged or released under honorable
43 circumstances **from active service in time of war,**" means **and**
44 **includes** every form of separation from active **, full-time duty**
45 **with military or naval pay and allowances in some branch of the**
46 **service in the** Armed Forces of the United States **in time of war**
47 **or from military service in a reserve component thereof,** other than

1 those marked "dishonorable," "undesirable," "bad conduct," "by
2 sentence of general court martial," "by sentence of summary court
3 martial" or similar expression indicating that the discharge or
4 release was not under honorable circumstances. **[A]** "Honorably
5 discharged or released under honorable circumstances" shall not
6 include a disenrollment certificate or other form of release
7 terminating temporary service in **[a military or naval branch of the
8 armed forces]** the Armed Forces of the United States or a reserve
9 component thereof rendered on a voluntary and part-time basis
10 without pay, or a release from or deferment of induction into **[the]**
11 active **[military or naval]** service **[shall not be deemed to be
12 included in the aforementioned phrase]** of the Armed Forces of the
13 United States, or military service in a reserve component thereof.

14 (e) "Pre-tax year" means the particular calendar year
15 immediately preceding the "tax year."

16 (f) "Resident" means one legally domiciled within the State of
17 New Jersey. Mere seasonal or temporary residence within the State,
18 of whatever duration, shall not constitute domicile within the State
19 for the purposes of this act. Absence from this State for a period of
20 12 months shall be prima facie evidence of abandonment of
21 domicile in this State. The burden of establishing legal domicile
22 within the State shall be upon the claimant.

23 (g) "Tax year" means the particular calendar year in which the
24 general property tax is due and payable.

25 (h) "Veteran" means any **[citizen and]** resident of this State
26 who served at least 90 days of active service in the Armed Forces of
27 the United States, excluding any period of service for basic training
28 or as a cadet or midshipman at one of the service academies, or
29 served as a member of a reserve component of the Armed Forces of
30 the United States for an entire period for which called to federal
31 active service, not including active duty for training, and was
32 honorably discharged or released therefrom under honorable
33 circumstances **[from active service in time of war in any branch of
34 the Armed Forces of the United States].** A person who served
35 fewer than 90 days of active service or who served less than the
36 entire period to which called to active service shall be classed as a
37 veteran if that person has been honorably discharged or released
38 under honorable circumstances from active service as a result of a
39 service-connected disability incurred as a result of such service.

40 (i) "Veteran's deduction" means the deduction against the taxes
41 payable by any person, allowable pursuant to this act.

42 (j) "Surviving spouse" means the surviving wife or husband of
43 **[any of the following,]** a veteran, or of a resident of this State who
44 died in active service in the Armed Forces of the United States or a
45 reserve component thereof, while **[he or she]** the surviving wife or
46 husband is a resident of this State, during widowhood or
47 widowerhood **[:**

1 1. A citizen and resident of this State who has died or shall die
2 while on active duty in time of war in any branch of the Armed
3 Forces of the United States; or

4 2. A citizen and resident of this State who has had or shall
5 hereafter have active service in time of war in any branch of the
6 Armed Forces of the United States and who died or shall die while
7 on active duty in a branch of the Armed Forces of the United States;
8 or

9 3. A citizen and resident of this State who has been or may
10 hereafter be honorably discharged or released under honorable
11 circumstances from active service in time of war in any branch of
12 the Armed Forces of the United States】.

13 (k) "Cooperative" means a housing corporation or association
14 incorporated or organized under the laws of New Jersey which
15 entitles a shareholder thereof to possess and occupy for dwelling
16 purposes a house, apartment or other structure owned or leased by
17 the corporation or association.

18 (l) "Mutual housing corporation" means a corporation not-for-
19 profit incorporated under the laws of New Jersey on a mutual or
20 cooperative basis within the scope of section 607 of the "National
21 Defense Housing Act," Pub.L.76-849 (42 U.S.C.s.1521 et seq.),
22 which acquired a National Defense Housing Project pursuant to that
23 act.

24 (cf: P.L.2005, c.64, s.5)

25

26 13. Section 2 of P.L.1963, c.171 (C.54:4-8.11) is amended to
27 read as follows:

28 2. Every 【person a citizen and resident of this State now or
29 hereafter honorably discharged or released under honorable
30 circumstances from active service in time of war in any branch of
31 the Armed Forces of the United States】 veteran and 【a】 surviving
32 spouse 【as defined herein, during her widowhood or his
33 widowerhood, and while a resident of this State,】 shall be entitled,
34 annually, on proper claim 【being made】 therefor, to a deduction
35 from the amount of any tax bill for taxes on real 【or personal】
36 property 【or both】 in the sum of \$100 in tax year 2000, \$150 in tax
37 year 2001, \$200 in tax year 2002, and \$250 in each subsequent tax
38 year, or if the amount of any such tax shall be less than \$100 in tax
39 year 2000, \$150 in tax year 2001, \$200 in tax year 2002, and \$250
40 in each subsequent tax year, to a cancellation thereof.

41 (cf: P.L.2000, c.9, s.1)

42

43 14. Section 3 of P.L.1963, c.171 (C.54:4-8.12) is amended to
44 read as follows:

45 3. No veteran's deduction from taxes assessed against real 【and
46 personal】 property, as provided herein, shall be allowed except
47 upon written application therefor, which application shall be on a

1 form prescribed by the Director of the Division of Taxation, in the
2 Department of the Treasury, and provided for the use of claimants
3 hereunder by the governing body of the municipality constituting
4 the taxing district in which such claim is to be filed and the
5 application has been approved as provided in this act.

6 **【An assessor shall not require the filing of an application for a**
7 **veteran's deduction under this act of any person who has filed, or**
8 **shall file, a claim for an exemption from taxation under chapter 184**
9 **of the laws of 1951, on or before December 31, 1963, but shall**
10 **approve a veteran's deduction for such person, if it appears from**
11 **such claim for exemption that such person meets all the other**
12 **prerequisites required by law for the approval of a claim for a**
13 **veteran's deduction.】**

14 Each assessor may at any time inquire into the right of a claimant
15 to the continuance of a veteran's deduction **【hereunder】** and for that
16 purpose he or she may require the filing of a new application or the
17 submission of such proof as **【he】** shall **【deem】** be deemed
18 necessary to determine the right of the claimant to continuance of
19 such deduction. No application for a veteran's deduction based
20 upon active service in the Armed Forces of the United States or a
21 reserve component thereof shall be allowed unless there is annexed
22 thereto a copy **【,** which may be photostatic,**】** of the claimant's
23 certificate of honorable discharge or **【of his certificate of】** release
24 under honorable circumstances from **【active service in time of war**
25 **in a branch of】** the Armed Forces of the United States or a reserve
26 component thereof.

27 In the case of an application by a surviving spouse said
28 application shall not be allowed unless it clearly establishes that:

29 (a) Claimant's spouse died while on active **【duty】** service in 【a
30 branch of】 the Armed Forces of the United States **【,** having had
31 active service in time of war, as herein defined, in a branch of the
32 Armed Forces of the United States**】** or a reserve component thereof,
33 or in the case of a surviving spouse of a veteran, claimant shall
34 establish that the veteran was honorably discharged or released
35 under honorable circumstances from **【active service in time of war**
36 **in any branch of】** the Armed Forces of the United States, or a
37 reserve component thereof; (b) claimant's spouse was a **【citizen**
38 **and】** resident of this State at the time of death**【,】**; (c) claimant was
39 the spouse of the veteran at the time of the veteran's death**【,】**; and
40 (d) claimant is a resident of this State and has not remarried.

41 (cf: P.L.1997, c.30, s.1)

43 15. Section 4 of P.L.1963, c.171 (C.54:4-8.13) is amended to
44 read as follows:

45 4. An application for a veteran's deduction **【hereunder】** may be
46 filed with the assessor of the taxing district at any time on or before

1 December 31 of the pretax year. If so filed and approved by the
 2 assessor, he or she shall allow a veteran's deduction from taxes on
 3 the real **or personal** property **or both,** assessed to the claimant
 4 in the amount **of the claim approved by him and** prescribed by
 5 section 2 of P.L.1963, c.171 (C.54:4-8.11). The assessor shall
 6 indicate, upon the assessment list and duplicates, (1) the veteran's
 7 deduction application approval **thereof** in such manner as shall be
 8 prescribed by rules of the Director of the Division of Taxation **,**
 9 together with **;** and (2) the proportionate share of **such** property
 10 deemed to be owned by the claimant for the purposes of **this act**
 11 establishing a claim to a veteran's deduction, if the claimant is not
 12 the sole owner thereof. **The** If the application **,** if is not filed
 13 with the assessor **within the time aforementioned,** on or before
 14 December 31 of the pretax year, it may be filed with the collector
 15 during the tax year **and upon approval by** for review. If the
 16 collector **of such** approves the application he or she shall
 17 determine the amount of the reduction in tax to which the claimant
 18 is entitled and shall allow said amount as an offset against the tax
 19 then remaining unpaid. If the amount allowable as an offset **shall**
 20 **exceed** exceeds the amount of the tax then unpaid for that tax year,
 21 or if the application for a veteran's deduction is not filed with the
 22 collector until after all taxes for the tax year have been fully paid,
 23 the claimant may make application to the governing body of the
 24 municipality constituting the taxing district for the refund of any tax
 25 overpaid, but without interest, and the governing body may, in its
 26 discretion, direct the return of any tax **deemed by it** it deems to
 27 have been overpaid by reason of claimant's failure to make timely
 28 application for a veteran's deduction; provided, however, that an
 29 assessor, collector or governing body shall not allow an **no**
 30 application for a veteran's deduction for any previous tax year
 31 **shall be allowed by any assessor, collector or governing body**.

32 Where an application for a veteran's deduction is filed with and
 33 allowed by a collector **he,** the collector shall promptly transmit
 34 such application and all exhibits attached thereto, or a **photostatic**
 35 copy thereof, to the assessor of the taxing district. Upon receipt
 36 thereof the assessor shall review the application and if approved by
 37 **him** the assessor it shall have the same force as if originally filed
 38 with him or her.

39 (cf: P.L.1985, c.515, s.9)

40
 41 16. Section 8 of P.L.1963, c.171 (C.54:4-8.17) is amended to
 42 read as follows:

43 8. No person shall be allowed a veteran's deduction from the
 44 tax assessed against real **and personal** property of more than \$100
 45 in the aggregate in tax year 2000, \$150 in the aggregate in tax year
 46 2001, \$200 in the aggregate in tax year 2002 and \$250 in the

1 aggregate in any subsequent tax year, but a veteran's deduction may
2 be claimed in any taxing district in which the claimant has taxable
3 property and may be apportioned, at the claimant's option, between
4 two or more taxing districts; provided such claims shall not exceed
5 \$100 in the aggregate in tax year 2000, \$150 in the aggregate in tax
6 year 2001, \$200 in the aggregate in tax year 2002 and \$250 in the
7 aggregate in any subsequent tax year. If a surviving spouse **【**, as
8 herein defined, shall have been honorably discharged or released
9 under honorable circumstances from active service in time of war in
10 any branch of the Armed Forces of the United States,**】** is also a
11 veteran, the surviving spouse shall be entitled to a veteran's
12 deduction for each status.

13 The veteran's deductions herein provided shall be in addition to
14 any exemptions now or hereafter provided by any other statute for
15 disabled veterans or surviving spouses **【**, as herein defined,**】** and in
16 addition to any deductions provided under P.L.1963, c.172 (C.54:4-
17 8.40 et seq.) for senior citizens and the permanently and totally
18 disabled, and certain surviving spouses thereof, to which the
19 claimant is entitled. In addition, a claimant may receive any
20 homestead rebate or credit provided by law.

21 (cf: P.L.2000, c.9, s.2)

22

23 17. (New section) Notwithstanding any other law to the
24 contrary, a resident of this State who is in active service in the
25 Armed Forces of the United States or is a member of a reserve
26 component thereof, and has not been discharged or released
27 therefrom, but who otherwise qualifies as a veteran, shall be eligible
28 for a civil service preference on the same basis as a veteran. Instead
29 of the certificate of honorable discharge or release under honorable
30 circumstances required to be provided to the Adjutant General of
31 the Department of Military and Veterans' Affairs pursuant to
32 N.J.S.11A:5-1, the claimant shall provide to the Adjutant General,
33 in a form and content the Adjutant General shall deem appropriate,
34 evidence of his or her status as an active service member of the
35 Armed Forces of the United States or as a member of a reserve
36 component thereof.

37

38 18. (New section) Notwithstanding any other law to the
39 contrary, a resident of this State who is in active service in the
40 Armed Forces of the United States or is a member of a reserve
41 component thereof, and has not been discharged or released
42 therefrom, but who otherwise qualifies as a veteran, shall be eligible
43 for a veterans' deduction on the same basis as a veteran. Instead of
44 the certificate of honorable discharge or release under honorable
45 circumstances required to be provided to the assessor pursuant to
46 section 3 of P.L.1963, c.171 (C.54:4-8.12), the claimant shall
47 provide to the assessor, in a form and content the Adjutant General
48 shall deem appropriate, evidence of his or her status as an active

1 service member of the Armed Forces of the United States or as a
2 member of a reserve component thereof.

3
4 19. N.J.S.11A:5-13, section 3 of P.L.2001, c.128 (C.43:15A-
5 24b) and section 1 of P.L.1983, c.391 (C.43:16A-11.7) are repealed.

6
7 20. Section 2 of P.L.1971, c.398 (C.54:4-3.33a) is repealed.

8
9 21. This act shall take effect immediately, but sections 1 through
10 3 shall take effect on the 1st day of the calendar year following
11 approval by the voters of an authorizing amendment to Article VII,
12 Section I, paragraph 2 of the Constitution of the State of New
13 Jersey and sections 10 through 16, section 18 and section 20 shall
14 take effect on the 1st day of the tax year following approval by the
15 voters of an authorizing amendment to Article VIII, Section I,
16 paragraph 3 of the Constitution of the State of New Jersey.

17
18
19 STATEMENT

20
21 This bill broadens the eligibility for various veterans benefits by
22 eliminating the requirement that to be considered a veteran a person
23 must have served during periods of war, in specific war zones, or
24 during periods of emergency. Instead, the bill provides that a
25 person will be considered a veteran if he or she served for at least
26 90 days, exclusive of certain types of initial training, in order to be
27 eligible for veterans benefits. The bill specifies that to be
28 considered a veteran and eligible for veterans benefits, a member of
29 a reserve component of the United States Armed Forces (including
30 the National Guard) must serve the entire period to which he or she
31 is called to federal active service, exclusive of active duty for
32 training. A person who is discharged as the result of a service-
33 connected disability will be classed as a veteran even if he or she
34 did not meet the 90-day service requirement.

35 The veterans benefits include:

36 (1) civil service preference under Title 11A of the New Jersey
37 Statutes;

38 (2) veteran's retirement allowance under the Teachers' Pension
39 and Annuity Fund (TPAF) or the Public Employees' Retirement
40 System (PERS);

41 (3) the purchase of additional military service credit in the
42 Police and Firemen's Retirement System (PFRS), TPAF and PERS;

43 (4) the annual property tax deduction provided under Article
44 VIII of the New Jersey Constitution (\$250 each tax year) or the
45 property tax exemption provided under N.J.S.A.54:4-3.30 for a
46 veteran who is certified permanently 100% disabled by the United
47 States Department of Veterans' Affairs; and

48 (5) surviving spouse benefits for veterans killed in active

1 service, including civil service preference and the property tax
2 deduction or exemption.

3 The bill provides that an active service member of the United
4 States Armed Forces or a current member of a military reserve
5 component (including the National Guard) who has not been
6 discharged from service is eligible for the civil service preference
7 and the property tax deduction provided that he or she qualifies as a
8 veteran.

9 Eligibility for the property tax benefits and civil service
10 preference is contingent upon voter approval of authorizing
11 amendments to the State Constitution. Article VIII, Section I,
12 paragraph 3 (concerning property tax benefits) and Article VII,
13 Section I, paragraph 2 (concerning civil service preference) of the
14 State Constitution currently refer to service in time of war.

15 The bill repeals a section of existing civil service, pension and
16 tax law regarding wartime service which is no longer necessary
17 because of the elimination of the wartime service requirement.