

ASSEMBLY, No. 1240

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman AZZOLINA

1 AN ACT concerning public employee veteran member benefits and
2 amending P.L.1954, c.84.

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

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7 1. Section 61 of P.L.1954, c.84 (C.43:15A-61) is amended to read
8 as follows:

9 61. a. [Any public employee veteran member in office, position or
10 employment of this State or of a county, municipality, public agency,
11 school district or board of education on January 2, 1955, who remains
12 in continuous service thereafter and who has or shall have attained the
13 age of 60 years and who has or shall have been for 20 years in office,
14 position or employment of this State or of a county, municipality,
15 public agency, school district or board of education, shall have the
16 privilege of retiring for service and of receiving, instead of the
17 retirement allowance provided under section 48 of this act, a
18 retirement allowance of one-half of the compensation received during
19 the last year of employment upon which contributions to the annuity
20 savings fund or contingent reserve fund are made.](Deleted by
21 amendment, P.L. , c. .)

22 b. Any public employee veteran [becoming a member after
23 January 2, 1955, who shall be] member in office, position or
24 employment of this State or of a county, municipality, public agency,
25 school district or board of education [and] who shall have attained
26 [62] 60 years of age and who has 20 years of continuous or aggregate
27 service credit in such office, position or employment[,] shall have the
28 privilege of retiring for service and receiving, instead of the retirement
29 allowance provided under section 48 of this act, a retirement
30 allowance of one-half of the compensation received during the last
31 year of employment, or one-half of the highest compensation received
32 during any other year of employment, upon which contributions to the

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 annuity savings fund or contingent reserve fund are made, whichever
2 is greater. [The provisions of this subsection shall also apply to any
3 veteran who was a member on January 2, 1955, but whose service was
4 not continuous thereafter.]

5 c. Any public employee veteran member who has been for 20 years
6 in the aggregate in office, position or employment of this State or of
7 a county, municipality, public agency, school district or board of
8 education as of January 2, 1955, shall have the privilege of retiring for
9 ordinary disability and of receiving, instead of the retirement allowance
10 provided under section 45 of this act, a retirement allowance of
11 one-half of the compensation received during the last year of
12 employment upon which contributions to the annuity savings fund or
13 contingent reserve fund are made. Such retirement shall be subject to
14 the provisions governing ordinary disability retirement in sections 42
15 and 44 of this act.

16 d. Any public employee veteran member who shall be in office,
17 position or employment of this State or of a county, municipality,
18 public agency, school district or board of education and who shall have
19 attained 60 years of age and who has at least 35 years of aggregate
20 service credit in such office, position or employment, shall have the
21 privilege of retiring for service and receiving a retirement allowance
22 of one-sixtieth of the compensation he received during the last year of
23 employment upon which contributions to the annuity savings fund or
24 contingent reserve fund are made for each year of creditable service.

25 e. The death benefit provided in section 48 shall apply in the case
26 of any member retiring under the provisions of subsections a., b. and
27 d. of this section. The death benefit provided in section 45 shall apply
28 in the case of any member retiring under the provisions of subsection
29 c. of this section.

30 (cf: P.L.1985, c.220, s.1)

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32 2. (New section) a. The special veterans' retirement allowance for
33 which a retirant of the Public Employees' Retirement System would
34 qualify pursuant to this amendatory act, P.L.199 , c. (now pending
35 before the Legislature as this bill), is applicable to retirements on or
36 after the effective date of that act, and to retirements on or after
37 July 1, 1984 and prior to the effective date of that act but only for
38 benefit payments on or after the effective date of that act.

39 b. The provisions of section 7 of P.L.1969, c.169 (C.43:3B-8) are
40 not applicable to the benefit increases pursuant to this act, P.L.199,
41 c. (now pending before the Legislature as this bill). For retirees and
42 beneficiaries who receive benefit increases, the benefit year for the
43 purposes of the Pension Adjustment Act (P.L.1958, c.143; C.43:3B-1
44 et seq.) is the year that this act, P.L.199, c. (now pending before the
45 Legislature as this bill), takes effect. The pension adjustment benefits
46 being paid to these retirees and beneficiaries on the effective date of

1 that act shall continue to be paid to them as a fixed supplement. The
2 fixed supplement shall not be used to determine pension adjustment
3 benefits.

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5 3. This act shall take effect immediately.

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STATEMENT

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10 This bill lowers from 62 to 60 the age at which a member of the
11 Public Employees' Retirement System (PERS) who is a veteran and
12 has 20 years of continuous or aggregate service credit in the
13 retirement system can retire on the veterans' retirement allowance.
14 The bill provides that the veterans' retirement allowance shall be either
15 one-half of the compensation during the last year of employment, as
16 provided under the current law, or one-half of the highest
17 compensation received during any other year of employment,
18 whichever is greater.

19 The bill also provides that in addition to those public employee
20 veterans who retire after the effective date of the act, retirants on or
21 after July 1, 1984 and prior to the effective date of the act shall also
22 qualify for the veterans' retirement allowance but only for benefit
23 payments on or after the effective date of that act.

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29 Makes certain changes in retirement provisions for PERS members
who are veterans.