

[First Reprint]
ASSEMBLY, No. 1240

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen AZZOLINA and ROMA

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

3

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

6

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

9 ¹[61. a. [Any public employee veteran member in office, position
10 or employment of this State or of a county, municipality, public
11 agency, school district or board of education on January 2, 1955, who
12 remains in continuous service thereafter and who has or shall have
13 attained the age of 60 years and who has or shall have been for 20
14 years in office, position or employment of this State or of a county,
15 municipality, public agency, school district or board of education, shall
16 have the privilege of retiring for service and of receiving, instead of
17 the 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

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly ACV committee amendments adopted September 16, 1996.

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

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

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

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

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

32 61. a. (Deleted by amendment, P.L.1995, c.332.)

33 b. Any public employee veteran member in office, position or
34 employment of this State or of a county, municipality, public agency,
35 school district or board of education and who shall have attained [62]
36 60 years of age and who has 20 years of aggregate service credit in
37 such office, position or employment, shall have the privilege of retiring
38 for service and receiving, instead of the retirement allowance provided
39 under section 48 of this act, a retirement allowance of one-half of the
40 compensation for which contributions are made during the 12-month
41 period of membership providing the largest possible benefit to the
42 member or the member's beneficiary.

43 c. Any public employee veteran member who has been for 20 years
44 in the aggregate in office, position or employment of this State or of
45 a county, municipality, public agency, school district or board of
46 education as of January 2, 1955, shall have the privilege of retiring for

1 ordinary disability and of receiving, instead of the retirement allowance
2 provided under section 45 of this act, a retirement allowance of
3 one-half of the compensation received during the last year of
4 employment upon which contributions to the annuity savings fund or
5 contingent reserve fund are made. Such retirement shall be subject to
6 the provisions governing ordinary disability retirement in sections 42
7 and 44 of this act.

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

17 e. The death benefit provided in section 48 shall apply in the case
18 of any member retiring under the provisions of subsections a., b. and
19 d. of this section. The death benefit provided in section 45 shall apply
20 in the case of any member retiring under the provisions of subsection
21 c. of this section.¹

22 (cf: P.L.1995, c.332, s.2)

23

24 ¹[2. (New section) a. The special veterans' retirement allowance
25 for which a retirant of the Public Employees' Retirement System would
26 qualify pursuant to this amendatory act, P.L.199 , c. (now pending
27 before the Legislature as this bill), is applicable to retirements on or
28 after the effective date of that act, and to retirements on or after
29 July 1, 1984 and prior to the effective date of that act but only for
30 benefit payments on or after the effective date of that act.

31 b. The provisions of section 7 of P.L.1969, c.169 (C.43:3B-8) are
32 not applicable to the benefit increases pursuant to this act, P.L.199 ,
33 c. (now pending before the Legislature as this bill). For retirees and
34 beneficiaries who receive benefit increases, the benefit year for the
35 purposes of the Pension Adjustment Act (P.L.1958, c.143; C.43:3B-1
36 et seq.) is the year that this act, P.L.199 , c. (now pending before the
37 Legislature as this bill), takes effect. The pension adjustment benefits
38 being paid to these retirees and beneficiaries on the effective date of
39 that act shall continue to be paid to them as a fixed supplement. The
40 fixed supplement shall not be used to determine pension adjustment
41 benefits.]¹

1 ¹[3.] 2.¹ This act shall take effect immediately.

2

3

4

5

6 _____

6 Makes certain changes in retirement provisions for PERS members

7 who are veterans.