

SENATE, No. 1631

STATE OF NEW JERSEY

INTRODUCED OCTOBER 28, 1996

By Senators HAINES and SINGER

1 AN ACT concerning the qualification of certain persons as veterans for
2 certain purposes, and amending various parts of the statutory law.

3

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

6

7 1. N.J.S.11A:5-1 is amended to read as follows:

8 11A:5-1. Definitions. As used in this chapter:

9 a. "Disabled veteran" means any veteran who is eligible to be
10 compensated for a service-connected disability from war service by the
11 United States Veterans Administration or who receives or is entitled
12 to receive equivalent compensation for a service-connected disability
13 which arises out of military or naval service as set forth in this chapter
14 and who has submitted sufficient evidence of the record of disability
15 incurred in the line of duty to the commissioner on or before the
16 closing date for filing an application for an examination;

17 b. "Veteran" means any honorably discharged soldier, sailor, marine
18 or nurse who served in any army or navy of the allies of the United
19 States in World War I, between July 14, 1914 and November 11,
20 1918, or who served in any army or navy of the allies of the United
21 States in World War II, between September 1, 1939 and September 2,
22 1945 and who was inducted into that service through voluntary
23 enlistment, and was a citizen of the United States at the time of the
24 enlistment, and who did not renounce or lose his or her United States
25 citizenship; or any soldier, sailor, marine, airman, nurse or army field
26 clerk, who has served in the active military or naval service of the
27 United States and has been discharged or released under other than
28 dishonorable conditions from that service in any of the following wars
29 or conflicts and who has presented to the commissioner sufficient
30 evidence of the record of service on or before the closing date for
31 filing an application for an examination:

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

33 (2) World War II, on or after September 16, 1940, who shall have
34 served at least 90 days beginning on or before December 31, 1946 in

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 such active service, exclusive of any period of assignment for a course
2 of education or training under the Army Specialized Training Program
3 or the Navy College Training Program, which course was a
4 continuation of a civilian course and was pursued to completion, or as
5 a cadet or midshipman at one of the service academies; except that any
6 person receiving an actual service-incurred injury or disability shall be
7 classed a veteran whether or not that person has completed the 90-day
8 service;

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

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

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

44 (6) Grenada peacekeeping mission, on or after October 23, 1983,
45 who has served in Grenada or on board any ship actively engaged in
46 patrolling the territorial waters of that nation for a period, continuous

1 or in the aggregate, of at least 14 days commencing on or before
2 November 21, 1983 or the date of termination of that mission, as
3 proclaimed by the President of the United States or Congress,
4 whichever date of termination is the latest, in such active service;
5 provided, that any person receiving an actual service-incurred injury
6 or disability shall be classed as a veteran whether or not that person
7 has completed the 14 days service as herein provided;

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

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

33 (9) "Operation Restore Hope" in Somalia, on or after December 5,
34 1992 or the date of inception of that operation, as proclaimed by the
35 President of the United States or Congress, whichever date of
36 inception is earliest, who has served in Somalia or on board any ship
37 actively engaged in patrolling the territorial waters of that nation for
38 a period, continuous or in the aggregate, of at least 14 days
39 commencing on or before March 31, 1994 or the date of termination
40 of that operation, as proclaimed by the President of the United States
41 or Congress, whichever date of termination is latest, in such active
42 service; provided that any person receiving an actual service-incurred
43 injury or disability shall be classed as a veteran whether or not that
44 person has completed the 14 days service as herein provided;

45 (10) "Operation Uphold/Restore Democracy" in Haiti, on or after
46 September 16, 1994 or the date of inception of that operation, as

1 proclaimed by the President of the United States or Congress,
2 whichever date of inception is earliest, who has served in Haiti or on
3 board any ship actively engaged in patrolling the territorial waters of
4 that nation for a period, continuous or in the aggregate, of at least 14
5 days commencing on or before March 31, 1995 or the date of
6 termination of that operation, as proclaimed by the President of the
7 United States or Congress, whichever date of termination is latest, in
8 such active service; provided that any person receiving an actual
9 service-incurred injury or disability shall be classed as a veteran
10 whether or not that person has completed the 14 days service as herein
11 provided.

12 c. "War service" means service by a veteran in any war or conflict
13 described in this chapter during the periods specified.

14 (cf: P.L.1995, c.406, s.1)

15

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

17 18A:66-2. As used in this article:

18 a. "Accumulated deductions" means the sum of all the amounts,
19 deducted from the compensation of a member or contributed by or in
20 behalf of the member, including interest credited to January 1, 1956,
21 standing to the credit of the member's individual account in the annuity
22 savings fund.

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

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

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

34 e. "Employer" means the State, the board of education or any
35 educational institution or agency of or within the State by which a
36 teacher is paid.

37 f. "Final compensation" means the average annual compensation
38 for which contributions are made for the three years of creditable
39 service in New Jersey immediately preceding the member's retirement
40 or death, or it shall mean the average annual compensation for New
41 Jersey service for which contributions are made during any three fiscal
42 years of his or her membership providing the largest possible benefit
43 to the member or the member's beneficiary.

44 g. "Fiscal year" means any year commencing with July 1, and
45 ending with June 30, next following.

46 h. "Pension" means payments for life derived from appropriations

1 made by the State or employers to the Teachers' Pension and Annuity
2 Fund.

3 i. "Annuity reserve" means the present value of all payments to be
4 made on account of any annuity or benefit in lieu of an annuity,
5 granted under the provisions of this article, computed on the basis of
6 such mortality tables recommended by the actuary as the board of
7 trustees adopts, with regular interest.

8 j. "Pension reserve" means the present value of all payments to be
9 made on account of any pension or benefit in lieu of a pension granted
10 to a member from the Teachers' Pension and Annuity Fund, computed
11 on the basis of such mortality tables recommended by the actuary as
12 the board of trustees adopts, with regular interest.

13 k. "Present-entrant" means any member of the Teachers' Pension
14 and Annuity Fund who had established status as a "present-entrant
15 member" of said fund prior to January 1, 1956.

16 l. "Rate of contribution initially certified" means the rate of
17 contribution certified by the retirement system in accordance with
18 N.J.S.18A:66-29.

19 m. "Regular interest" shall mean interest as determined by the State
20 Treasurer, after consultation with the Directors of the Divisions of
21 Investment and Pensions, the board of trustees and the actuary. It
22 shall bear a reasonable relationship to the percentage rate of earnings
23 on investments based on the market value of assets but shall not
24 exceed the assumed percentage rate of increase applied to salaries plus
25 3%, provided however that the board of trustees shall not set the
26 average percentage rate of increase applied to salaries below 6%.

27 n. "Retirement allowance" means the pension plus the annuity.

28 o. "School service" means any service as a "teacher" as defined in
29 this section.

30 p. "Teacher" means any regular teacher, special teacher, helping
31 teacher, teacher clerk, principal, vice-principal, supervisor, supervising
32 principal, director, superintendent, city superintendent, assistant city
33 superintendent, county superintendent, State Commissioner or
34 Assistant Commissioner of Education, members of the State
35 Department of Education who are certificated, unclassified
36 professional staff and other members of the teaching or professional
37 staff of any class, public school, high school, normal school, model
38 school, training school, vocational school, truant reformatory school,
39 or parental school, and of any and all classes or schools within the
40 State conducted under the order and superintendence, and wholly or
41 partly at the expense of the State Board of Education, of a duly
42 elected or appointed board of education, board of school directors, or
43 board of trustees of the State or of any school district or normal
44 school district thereof, and any persons under contract or engagement
45 to perform one or more of these functions. It shall also mean any
46 person who serves, while on an approved leave of absence from

1 regular duties as a teacher, as an officer of a local, county or State
2 labor organization which represents, or is affiliated with an
3 organization which represents, teachers as defined in this subsection.
4 No person shall be deemed a teacher within the meaning of this article
5 who is a substitute teacher. In all cases of doubt the board of trustees
6 shall determine whether any person is a teacher as defined in this
7 article.

8 q. "Teachers' Pension and Annuity Fund," hereinafter referred to
9 as the "retirement system" or "system," is the corporate name of the
10 arrangement for the payment of retirement allowances and other
11 benefits under the provisions of this article, including the several funds
12 placed under said system. By that name all its business shall be
13 transacted, its funds invested, warrants for money drawn, and
14 payments made and all of its cash and securities and other property
15 held.

16 r. "Veteran" means any honorably discharged officer, soldier,
17 sailor, airman, marine or nurse who served in any Army, Air Force or
18 Navy of the Allies of the United States in World War I between July
19 14, 1914, and November 11, 1918, or who served in any Army, Air
20 Force or Navy of the Allies of the United States in World War II,
21 between September 1, 1939, and September 2, 1945, and who was
22 inducted into such service through voluntary enlistment, and was a
23 citizen of the United States at the time of such enlistment, and who did
24 not, during or by reason of such service, renounce or lose United
25 States citizenship, and any officer, soldier, sailor, marine, airman,
26 nurse or army field clerk who has served in the active military or naval
27 service of the United States and has or shall be discharged or released
28 therefrom under conditions other than dishonorable, in any of the
29 following wars, uprisings, insurrections, expeditions or emergencies,
30 and who has presented to the retirement system evidence of such
31 record of service in form and content satisfactory to said retirement
32 system:

33 (1) The Indian wars and uprisings during any of the periods
34 recognized by the War Department of the United States as periods of
35 active hostility;

36 (2) The Spanish-American War between April 20, 1898, and April
37 11, 1899;

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

41 (4) The Peking relief expedition between June 20, 1900, and May
42 27, 1902;

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

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

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

3 (8) The Mexican border patrol, having actually participated in
4 engagements against Mexicans between April 12, 1911, and June 16,
5 1919;

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

7 (10) World War II, between September 16, 1940, and December
8 31, 1946, who shall have served at least 90 days in such active service,
9 exclusive of any period of assignment (1) for a course of education or
10 training under the Army Specialized Training Program or the Navy
11 College Training Program, which course was a continuation of a
12 civilian course and was pursued to completion, or (2) as a cadet or
13 midshipman at one of the service academies, any part of which 90 days
14 was served between said dates; provided that any person receiving an
15 actual service-incurred injury or disability shall be classed as a veteran,
16 whether or not that person has completed the 90-day service as herein
17 provided;

18 (11) Korean conflict on or after June 23, 1950, and on or prior to
19 January 31, 1955, who shall have served at least 90 days in such active
20 service, exclusive of any period of assignment (1) for a course of
21 education or training under the Army Specialized Training Program or
22 the Navy College Training Program, which course was a continuation
23 of a civilian course and was pursued to completion, or (2) as a cadet
24 or midshipman at one of the service academies, any part of which 90
25 days was served between said dates; provided that any person
26 receiving an actual service-incurred injury or disability shall be classed
27 as a veteran, whether or not that person has completed the 90-day
28 service as herein provided; and provided further that any member
29 classed as a veteran pursuant to this subsection prior to August 1,
30 1966, shall continue to be classed as a veteran, whether or not that
31 person completed the 90-day service between said dates as herein
32 provided;

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

1 person has completed the 90-day service as herein provided;

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

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

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

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

1 (17) "Operation Restore Hope" in Somalia, on or after December
2 5, 1992 or the date of inception of that operation, as proclaimed by the
3 President of the United States or Congress, whichever date of
4 inception is earliest, who has served in Somalia or on board any ship
5 actively engaged in patrolling the territorial waters of that nation for
6 a period, continuous or in the aggregate, of at least 14 days
7 commencing on or before March 31, 1994 or the date of termination
8 of that operation, as proclaimed by the President of the United States
9 or Congress, whichever date of termination is latest, in such active
10 service; provided that any person receiving an actual service-incurred
11 injury or disability shall be classed as a veteran whether or not that
12 person has completed the 14 days' service as herein provided;

13 (18) "Operation Uphold/Restore Democracy" in Haiti, on or after
14 September 16, 1994 or the date of inception of that operation, as
15 proclaimed by the President of the United States or Congress,
16 whichever date of inception is earliest, who has served in Haiti or on
17 board any ship actively engaged in patrolling the territorial waters of
18 that nation for a period, continuous or in the aggregate, of at least 14
19 days commencing on or before March 31, 1995 or the date of
20 termination of that operation, as proclaimed by the President of the
21 United States or Congress, whichever date of termination is latest, in
22 such active service; provided that any person receiving an actual
23 service-incurred injury or disability shall be classed as a veteran
24 whether or not that person has completed the 14 days service as herein
25 provided.

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

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

37 t. "Widower" means the man to whom a member was married at
38 least five years before the date of her death and to whom she
39 continued to be married until the date of her death and who was
40 receiving at least one-half of his support from the member in the
41 12-month period immediately preceding the member's death or the
42 accident which was the direct cause of the member's death. The
43 dependency of such a widower will be considered terminated by
44 marriage of the widower subsequent to the death of the member. In
45 the event of the payment of an accidental death benefit, the five-year
46 qualification shall be waived.

1 u. "Widow" means the woman to whom a member was married at
2 least five years before the date of his death and to whom he continued
3 to be married until the date of his death and who was receiving at least
4 one-half of her support from the member in the 12-month period
5 immediately preceding the member's death or the accident which was
6 the direct cause of the member's death. The dependency of such a
7 widow will be considered terminated by the marriage of the widow
8 subsequent to the member's death. In the event of the payment of an
9 accidental death benefit, the five-year qualification shall be waived.

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

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

18 (cf: P.L.1995, c.406, s.2)

19

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

22 6. As used in this act:

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

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

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

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

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

43 f. "Parent" shall mean the parent of a member who was receiving
44 at least 1/2 of the parent's support from the member in the 12-month
45 period immediately preceding the member's death or the accident
46 which was the direct cause of the member's death. The dependency of

1 such a parent will be considered terminated by marriage of the parent
2 subsequent to the death of the member.

3 g. "Widower" means the man to whom a member was married at
4 least five years before the date of her death and to whom she
5 continued to be married until the date of her death and who was
6 receiving at least 1/2 of his support from the member in the 12-month
7 period immediately preceding the member's death or the accident
8 which was the direct cause of the member's death. The dependency of
9 such a widower will be considered terminated by marriage of the
10 widower subsequent to the death of the member. In the event of the
11 payment of an accidental death benefit, the five-year qualification shall
12 be waived.

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

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

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

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

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

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

39 n. "Regular interest" shall mean interest as determined by the State
40 Treasurer, after consultation with the Directors of the Divisions of
41 Investment and Pensions, the board of trustees and the actuary. It
42 shall bear a reasonable relationship to the percentage rate of earnings
43 on investments based on the market value of the assets but shall not
44 exceed the assumed percentage rate of increase applied to salaries plus
45 3%, provided however that the board of trustees shall not set the
46 average percentage rate of increase applied to salaries below 6%.

1 o. "Retirement allowance" means the pension plus the annuity.
2 p. "Veteran" means any honorably discharged officer, soldier,
3 sailor, airman, marine or nurse who served in any Army, Air Force or
4 Navy of the Allies of the United States in World War I, between July
5 14, 1914, and November 11, 1918, or who served in any Army, Air
6 Force or Navy of the Allies of the United States in World War II,
7 between September 1, 1939, and September 2, 1945, and who was
8 inducted into such service through voluntary enlistment, and was a
9 citizen of the United States at the time of such enlistment, and who did
10 not, during or by reason of such service, renounce or lose United
11 States citizenship, and any officer, soldier, sailor, marine, airman,
12 nurse or army field clerk, who has served in the active military or naval
13 service of the United States and has or shall be discharged or released
14 therefrom under conditions other than dishonorable, in any of the
15 following wars, uprisings, insurrections, expeditions, or emergencies,
16 and who has presented to the retirement system evidence of such
17 record of service in form and content satisfactory to said retirement
18 system:

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

22 (2) The Spanish-American War between April 20, 1898, and April
23 11, 1899;

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

27 (4) The Peking relief expedition between June 20, 1900, and May
28 27, 1902;

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

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

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

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

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

39 (10) World War II, between September 16, 1940, and December
40 31, 1946, who shall have served at least 90 days in such active service,
41 exclusive of any period of assignment (1) for a course of education or
42 training under the Army Specialized Training Program or the Navy
43 College Training Program which course was a continuation of a
44 civilian course and was pursued to completion, or (2) as a cadet or
45 midshipman at one of the service academies any part of which 90 days
46 was served between said dates; provided, that any person receiving an

1 actual service-incurred injury or disability shall be classed as a veteran
2 whether or not that person has completed the 90-day service as herein
3 provided;

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

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

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

44 (14) Grenada peacekeeping mission, on or after October 23, 1983,
45 who has served in Grenada or on board any ship actively engaged in
46 patrolling the territorial waters of that nation for a period, continuous

1 or in the aggregate, of at least 14 days commencing on or before
2 November 21, 1983 or the date of termination of that mission, as
3 proclaimed by the President of the United States or Congress,
4 whichever date of termination is the latest, in such active service;
5 provided, that any person receiving an actual service-incurred injury
6 or disability shall be classed as a veteran whether or not that person
7 has completed the 14 days' service as herein provided;

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

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

33 (17) "Operation Restore Hope" in Somalia, on or after December
34 5, 1992 or the date of inception of that operation, as proclaimed by the
35 President of the United States or Congress, whichever date of
36 inception is earliest, who has served in Somalia or on board any ship
37 actively engaged in patrolling the territorial waters of that nation for
38 a period, continuous or in the aggregate, of at least 14 days
39 commencing on or before March 31, 1994 or the date of termination
40 of that operation, as proclaimed by the President of the United States
41 or Congress, whichever date of termination is latest, in such active
42 service; provided that any person receiving an actual service-incurred
43 injury or disability shall be classed as a veteran whether or not that
44 person has completed the 14 days' service as herein provided;

45 (18) "Operation Uphold/Restore Democracy" in Haiti, on or after
46 September 16, 1994 or the date of inception of that operation, as

1 proclaimed by the President of the United States or Congress,
2 whichever date of inception is earliest, who has served in Haiti or on
3 board any ship actively engaged in patrolling the territorial waters of
4 that nation for a period, continuous or in the aggregate, of at least 14
5 days commencing on or before March 31, 1995 or the date of
6 termination of that operation, as proclaimed by the President of the
7 United States or Congress, whichever date of termination is latest, in
8 such active service; provided that any person receiving an actual
9 service-incurred injury or disability shall be classed as a veteran
10 whether or not that person has completed the 14 days service as herein
11 provided.

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

16 q. "Widow" means the woman to whom a member was married at
17 least five years before the date of his death and to whom he continued
18 to be married until the date of his death and who was receiving at least
19 1/2 of her support from the member in the 12-month period
20 immediately preceding the member's death or the accident which was
21 the direct cause of the member's death. The dependency of such a
22 widow will be considered terminated by the marriage of the widow
23 subsequent to the member's death. In the event of the payment of an
24 accidental death benefit, the five-year qualification shall be waived.

25 r. "Compensation" means the base or contractual salary, for
26 services as an employee, which is in accordance with established salary
27 policies of the member's employer for all employees in the same
28 position but shall not include individual salary adjustments which are
29 granted primarily in anticipation of the member's retirement or
30 additional remuneration for performing temporary or extracurricular
31 duties beyond the regular workday or the regular work year. In cases
32 where salary includes maintenance, the retirement system shall fix the
33 value of that part of the salary not paid in money which shall be
34 considered under this act.

35 (cf: P.L.1995, c.406, s.3)

36

37 4. Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is amended to
38 read as follows:

39 1. For purposes of this act "veteran" means any honorably
40 discharged officer, soldier, sailor, airman, marine or nurse who served
41 in any Army, Air Force or Navy of the Allies of the United States in
42 World War I, between July 14, 1914, and November 11, 1918, or who
43 served in any Army, Air Force or Navy of the Allies of the United
44 States in World War II, between September 1, 1939, and September
45 2, 1945, and who was inducted into such service through voluntary
46 enlistment, and was a citizen of the United States at the time of such

1 enlistment, and who did not, during or by reason of such service,
2 renounce or lose United States citizenship, and any officer, soldier,
3 sailor, marine, airman, nurse or army field clerk, who has served in the
4 active military or naval service of the United States and has or shall be
5 discharged or released therefrom under conditions other than
6 dishonorable, in any of the following wars, uprisings, insurrections,
7 expeditions, or emergencies, and who has presented to the retirement
8 system evidence of such record of service in form and content
9 satisfactory to said retirement system:

10 (1) The Indian wars and uprisings during any of the periods
11 recognized by the War Department of the United States as periods of
12 active hostility;

13 (2) The Spanish-American War between April 20, 1898, and April
14 11, 1899;

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

18 (4) The Peking relief expedition between June 20, 1900, and May
19 27, 1902;

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

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

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

26 (8) The Mexican border patrol, having actually participated in
27 engagements against Mexicans between April 12, 1911, and June 16,
28 1919;

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

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

41 (11) Korean conflict on or after June 23, 1950, and on or prior to
42 January 31, 1955, who shall have served at least 90 days in such active
43 service, exclusive of any period of assignment (1) for a course of
44 education or training under the Army Specialized Training Program or
45 the Navy College Training Program which course was a continuation
46 of a civilian course and was pursued to completion, or (2) as a cadet

1 or midshipman at one of the service academies, any part of which 90
2 days was served between said dates; provided, that any person
3 receiving an actual service-incurred injury or disability shall be classed
4 as a veteran whether or not that person has completed the 90-day
5 service as herein provided; and provided further, that any member
6 classed as a veteran pursuant to this subparagraph prior to August 1,
7 1966, shall continue to be classed as a veteran whether or not the
8 member completed the 90-day service between said dates as herein
9 provided;

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

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

35 (14) Grenada peacekeeping mission, on or after October 23, 1983,
36 who has served in Grenada or on board any ship actively engaged in
37 patrolling the territorial waters of that nation for a period, continuous
38 or in the aggregate, of at least 14 days commencing on or before
39 November 21, 1983 or the date of termination of that mission, as
40 proclaimed by the President of the United States or Congress,
41 whichever date of termination is the latest, in such active service;
42 provided, that any person receiving an actual service-incurred injury
43 or disability shall be classed as a veteran whether or not that person
44 has completed the 14 days service as herein provided;

45 (15) Panama peacekeeping mission, on or after December 20, 1989
46 or the date of inception of that mission, as proclaimed by the President

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

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

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

36 (18) "Operation Uphold/Restore Democracy" in Haiti, on or after
37 September 16, 1994 or the date of inception of that operation, as
38 proclaimed by the President of the United States or Congress,
39 whichever date of inception is earliest, who has served in Haiti or on
40 board any ship actively engaged in patrolling the territorial waters of
41 that nation for a period, continuous or in the aggregate, of at least 14
42 days commencing on or before March 31, 1995 or the date of
43 termination of that operation, as proclaimed by the President of the
44 United States or Congress, whichever date of termination is latest, in
45 such active service; provided that any person receiving an actual
46 service-incurred injury or disability shall be classed as a veteran

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

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

7 (cf: P.L.1995, c.406, s.4)

8

9 5. Section 1 of P.L.1963, c.171 (C.54:4-8.10) is amended to read
10 as follows:

11 1. As used in this act:

12 (a) "Active service in time of war" means active service at some
13 time during one of the following periods:

14 "Operation Uphold/Restore Democracy" in Haiti, on or after
15 September 16, 1994 or the date of inception of that operation, as
16 proclaimed by the President of the United States or Congress,
17 whichever date of inception is earliest, who has served in Haiti or on
18 board any ship actively engaged in patrolling the territorial waters of
19 that nation for a period, continuous or in the aggregate, of at least 14
20 days commencing on or before March 31, 1995 or the date of
21 termination of that operation, as proclaimed by the President of the
22 United States or Congress, whichever date of termination is latest, in
23 such active service; provided that any person receiving an actual
24 service-incurred injury or disability shall be classed as a veteran
25 whether or not that person has completed the 14 days service as herein
26 provided;

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

39 Operation "Desert Shield/Desert Storm" mission in the Arabian
40 peninsula and the Persian Gulf, on or after August 2, 1990 or the date
41 of inception of that operation, as proclaimed by the President of the
42 United States or Congress, whichever date of inception is earliest, who
43 has served in the Arabian peninsula or on board any ship actively
44 engaged in patrolling the Persian Gulf for a period, continuous or in
45 the aggregate, of at least 14 days commencing on or before the date
46 of termination of that mission, as proclaimed by the President of the

1 United States, Congress or the Governor, whichever date of
2 termination is the latest, in such active service; provided, that any
3 person receiving an actual service-incurred injury or disability shall be
4 classed as a veteran whether or not that person has completed the 14
5 days service as herein provided;

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

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

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

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

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

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

41 World War I, April 6, 1917 to November 11, 1918, and in the case
42 of service with the United States military forces in Russia, April 6,
43 1917 to April 1, 1920;

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

45 Civil War, April 15, 1861 to May 26, 1865; or, as to any
46 subsequent war, during the period from the date of declaration of war

1 to the date on which actual hostilities shall cease.

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

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

7 (d) "Honorably discharged or released under honorable
8 circumstances from active service in time of war," means and includes
9 every form of separation from active, full-time duty with military or
10 naval pay and allowances in some branch of the Armed Forces of the
11 United States in time of war, other than those marked "dishonorable,"
12 "undesirable," "bad conduct," "by sentence of general court martial,"
13 "by sentence of summary court martial" or similar expression
14 indicating that the discharge or release was not under honorable
15 circumstances. A disenrollment certificate or other form of release
16 terminating temporary service in a military or naval branch of the
17 armed forces rendered on a voluntary and part-time basis without pay,
18 or a release from or deferment of induction into the active military or
19 naval service shall not be deemed to be included in the aforementioned
20 phrase.

21 (e) "Pre-tax year" means the particular calendar year immediately
22 preceding the "tax year."

23 (f) "Resident" means one legally domiciled within the State of New
24 Jersey. Mere seasonal or temporary residence within the State, of
25 whatever duration, shall not constitute domicile within the State for
26 the purposes of this act. Absence from this State for a period of 12
27 months shall be prima facie evidence of abandonment of domicile in
28 this State. The burden of establishing legal domicile within the State
29 shall be upon the claimant.

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

32 (h) "Veteran" means any citizen and resident of this State
33 honorably discharged or released under honorable circumstances from
34 active service in time of war in any branch of the Armed Forces of the
35 United States.

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

38 (j) "Surviving spouse" means the surviving wife or husband of any
39 of the following, while he or she is a resident of this State, during
40 widowhood or widowerhood:

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

44 2. A citizen and resident of this State who has had or shall
45 hereafter have active service in time of war in any branch of the Armed
46 Forces of the United States and who died or shall die while on active

1 duty in a branch of the Armed Forces of the United States; or

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

6 (k) "Cooperative" means a housing corporation or association
7 incorporated or organized under the laws of New Jersey which entitles
8 a shareholder thereof to possess and occupy for dwelling purposes a
9 house, apartment or other structure owned or leased by the
10 corporation or association;

11 (l) "Mutual housing corporation" means a corporation
12 not-for-profit incorporated under the laws of New Jersey on a mutual
13 or cooperative basis within the scope of section 607 of the "National
14 Defense Housing Act," Pub. L.76-849 (42 U.S.C. { 1521 et seq.),
15 which acquired a National Defense Housing Project pursuant to that
16 act.

17 (cf: P.L.1995, c.406, s.5)

18

19 6. This act shall take effect immediately.

20

21

22 STATEMENT

23

24 This bill amends existing law to insure that veterans who served in
25 "Operation Restore Hope" in Somalia or in "Operation
26 Uphold/Restore Democracy" in Haiti and who meet the criteria set
27 forth in the bill are eligible for certain State benefits. The bill
28 establishes in law certain inception and termination dates for those
29 operations.

30 The bill amends five sections of law: the definition of "veteran" for
31 the purpose of eligibility for civil service preference; the definition of
32 "veteran" for the purpose of eligibility for enhanced benefits in the
33 Teachers' Pension and Annuity Fund (TPAF) and the Public
34 Employees' Retirement System (PERS) and for the purpose of
35 purchasing service credit for military service by members of the Police
36 and Firemen's Retirement System (PFRS); and the definition of
37 "veteran" for the purpose of eligibility for the annual veterans personal
38 property tax deduction.

39 The bill establishes December 5, 1992 as the inception date of
40 "Operation Restore Hope" and September 16, 1994 as the inception
41 date of "Operation Uphold/Restore Democracy" or the dates of
42 inception of the operations, as proclaimed by the President of the
43 United States or Congress, whichever dates are the earliest. The bill
44 establishes March 31, 1994 as the termination date of "Operation
45 Restore Hope" and March 31, 1995 as the termination date of
46 "Operation Uphold/Restore Democracy" or the dates of termination of

1 the operations, as proclaimed by the President of the United States or
2 Congress, whichever dates are the latest.

3 These dates have been recognized by the United States Department
4 of Defense as the inception and termination dates of these operations
5 for the purpose of establishing eligibility for the Armed Forces
6 Expeditionary Medal for members of the United States armed forces
7 who participated in these operations.

8

9

10

11

12 Establishes inception and termination dates for "Operation Restore
13 Hope" and "Operation Uphold/Restore Democracy" for eligibility for
14 certain State benefits.