

ASSEMBLY, No. 872

STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As reported by the Assembly Military and Veterans' Affairs Committee with technical review.



(Sponsorship Updated As Of: 10/4/2022)

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2

1 AN ACT concerning eligibility for certain civil service and pension
2 benefits for veterans, amending and repealing various parts of
3 the statutory law, and supplementing Title 11A of the New
4 Jersey Statutes.

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 equivalent
15 compensation for a service-connected disability **[which arises out**
16 **of military or naval service as set forth in this chapter]** and who has
17 submitted sufficient evidence of the record of disability **[incurred in**
18 **the line of duty]** to the Adjutant General of the Department of
19 Military and **[Veterans']** 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 and has been discharged or**
34 **released under other than dishonorable conditions from that service**
35 **in any of the following wars or conflicts]** person honorably
36 discharged or released under honorable circumstances from federal
37 active service in any branch of the Armed Forces of the United
38 States or a Reserve component thereof and who has presented to the
39 Adjutant General of the Department of Military and **[Veterans']**
40 Veterans Affairs sufficient evidence of the record of service and
41 received a determination of status no later than eight days prior to
42 the issuance of an employment list, for which that individual
43 received a passing score on an examination**[:]**

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.

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- 1 (1) World War I, between April 6, 1917 and November 11,
2 1918;
- 3 (2) World War II, on or after September 16, 1940, who shall
4 have served at least 90 days beginning on or before December 31,
5 1946 in such active service, exclusive of any period of assignment
6 for a course of education or training under the Army Specialized
7 Training Program or the Navy College Training Program, which
8 course was a continuation of a civilian course and was pursued to
9 completion, or as a cadet or midshipman at one of the service
10 academies; except that any person receiving an actual service-
11 incurred injury or disability shall be classed a veteran whether or
12 not that person has completed the 90-day service;
- 13 (3) Korean conflict, on or after June 23, 1950, who shall have
14 served at least 90 days beginning on or before January 31, 1955, in
15 active service, exclusive of any period of assignment for a course of
16 education or training under the Army Specialized Training Program
17 or the Navy College Training Program, which course was a
18 continuation of a civilian course and was pursued to completion, or
19 as a cadet or midshipman at one of the service academies; except
20 that any person receiving an actual service-incurred injury or
21 disability shall be classed as a veteran, whether or not that person
22 has completed the 90-day service;
- 23 (4) Lebanon crisis, on or after July 1, 1958, who has served in
24 Lebanon or on board any ship actively engaged in patrolling the
25 territorial waters of that nation for a period, continuous or in the
26 aggregate, of at least 14 days commencing on or before November
27 1, 1958 or the date of termination of that conflict, as proclaimed by
28 the President of the United States or Congress, 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
31 be classed as a veteran whether or not that person has completed the
32 14 days' service as herein provided;
- 33 (5) Vietnam conflict, on or after December 31, 1960, who shall
34 have served at least 90 days beginning on or before May 7, 1975, in
35 active service, exclusive of any period of assignment for a course of
36 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
39 as a cadet or midshipman at one of the service academies, and
40 exclusive of any service performed pursuant to the provisions of
41 section 511(d) of Title 10, United States Code, or exclusive of any
42 service performed pursuant to enlistment in the National Guard or
43 the Army Reserve, Naval Reserve, Air Force Reserve, Marine
44 Corps Reserve, or Coast Guard Reserve; except that any person
45 receiving an actual service-incurred injury or disability shall be
46 classed as a veteran, whether or not that person has completed the
47 90-day service as provided;

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

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

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

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

1 (10) Operation Northern Watch and Operation Southern Watch,
2 on or after August 27, 1992, or the date of inception of that
3 operation, as proclaimed by the President of the United States,
4 Congress or United States Secretary of Defense, whichever date of
5 inception is earliest, who served in the theater of operation,
6 including in the Arabian peninsula and the Persian Gulf, and in
7 direct support of that operation for a period, continuously or in the
8 aggregate, of at least 14 days in such active service commencing on
9 or before the date of termination of that operation, as proclaimed by
10 the President of the United States, Congress or United States
11 Secretary of Defense, whichever date of termination is the latest;
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 (11) Operation "Restore Hope" in Somalia, on or after December
17 5, 1992, or the date of inception of that operation as proclaimed by
18 the President of the United States or the Congress, whichever date
19 is earliest, who has served in Somalia or on board any ship actively
20 engaged in patrolling the territorial waters of that nation for a
21 period, continuously or in the aggregate, of at least 14 days in such
22 active service commencing on or before March 31, 1994; provided
23 that any person receiving an actual service-incurred injury or
24 disability shall be classed as a veteran whether or not that person
25 has completed the 14-day service as herein provided;

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

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

47 (14) Operation "Enduring Freedom", on or after September 11,
48 2001, who served in a theater of operation and 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; and

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

21 (16) In a campaign or expedition for which a medal has been
22 authorized and recognized by the Veterans' Preference Act of 1944,
23 as amended and codified under Title 5, United States Code, for civil
24 service preference and which has been awarded to the veteran,

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

27 (cf: P.L.2021, c.429, s.1)

28

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

30 11A:5-3. Parent and spouse of veteran who has died in service.
31 A parent and spouse of any veteran who died while in, and as a
32 result of, federal active service and who would have qualified under
33 this chapter as a veteran, shall be entitled to a disabled veterans'
34 preference. Where both a parent and spouse survive, the exercise of
35 the preference by one shall suspend the right of any other so long as
36 the first individual who exercises preference remains in the employ
37 of the State or any political subdivision operating under the
38 provisions of this title.

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

40

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

42 11A:5-11. A veteran with any physical disability caused by
43 **【**wounds or injuries received in the line of duty in the military or
44 naval forces of the United States during war service set forth in
45 N.J.S.11A:5-1**】** an injury, disease or disability incurred as a result
46 of federal active service in any branch of the Armed Forces of the
47 United States or a Reserve component thereof, shall not be
48 discriminated against in an examination, classification or

1 appointment because of the disability, unless this disability, in the
2 opinion of the Civil Service Commission, would incapacitate the
3 veteran from properly performing the duties of the office, position
4 or employment for which applied.

5 (cf: P.L.2017, c.131, s.9)

6

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

8 18A:66-2. As used in this article:

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

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

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

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

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

46 For the period of July 1, 2009 through June 30, 2011,
47 "contractual salary" for State employees shall include wage
48 increases under a collective negotiations agreement notwithstanding

1 that, by amendment to that collective negotiations agreement, the
2 effective date of the contractual increase has been deferred. For the
3 purpose of this paragraph, "State employee" means an employee in
4 the Executive Branch of State government of New Jersey.

5 e. "Employer" means the State, the board of education or any
6 educational institution or agency of or within the State by which a
7 teacher is paid.

8 f. (1) "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 (2) In the case of a person who becomes a member of the
17 retirement system on or after the effective date of P.L.2010, c.1,
18 "final compensation" means the average annual compensation for
19 which contributions are made for the five years of creditable service
20 in New Jersey immediately preceding the member's retirement or
21 death, or it shall mean the average annual compensation for New
22 Jersey service for which contributions are made during any five
23 fiscal years of his or her membership providing the largest possible
24 benefit to the member or the member's beneficiary.

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

27 h. "Pension" means payments for life derived from
28 appropriations made by the State or employers to the Teachers'
29 Pension and Annuity Fund.

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

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

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

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

46 m. "Regular interest" shall mean interest as determined by the
47 State Treasurer, after consultation with the Directors of the
48 Divisions of Investment and Pensions, the board of trustees and the

1 actuary. It shall bear a reasonable relationship to the percentage rate
2 of earnings on investments based on the market value of assets but
3 shall not exceed the assumed percentage rate of increase applied to
4 salaries plus 3%, provided however that the board of trustees shall
5 not set the average percentage rate of increase applied to salaries
6 below 6%.

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

8 o. "School service" means any service as a "teacher" as defined
9 in this section.

10 p. "Teacher" means any regular teacher, special teacher,
11 helping teacher, teacher clerk, principal, vice-principal, supervisor,
12 supervising principal, director, superintendent, city superintendent,
13 assistant city superintendent, county superintendent, State
14 Commissioner or Assistant Commissioner of Education, members
15 of the State Department of Education who are certificated,
16 unclassified professional staff and other members of the teaching or
17 professional staff of any class, public school, renaissance school
18 project established pursuant to P.L.2011, c.176 (C.18A:36C-1 et
19 seq.) upon commencement of employment, high school, normal
20 school, model school, training school, vocational school, truant
21 reformatory school, or parental school, and of any and all classes or
22 schools within the State conducted under the order and
23 superintendence, and wholly or partly at the expense of the State
24 Board of Education, of a duly elected or appointed board of
25 education, board of school directors, or board of trustees of the
26 State or of any school district or normal school district thereof, and
27 any persons under contract or engagement to perform one or more
28 of these functions. It shall also mean any person who serves, while
29 on an approved leave of absence from regular duties as a teacher, as
30 an officer of a local, county or State labor organization which
31 represents, or is affiliated with an organization which represents,
32 teachers as defined in this subsection. No person shall be deemed a
33 teacher within the meaning of this article who is a substitute
34 teacher. In all cases of doubt the board of trustees shall determine
35 whether any person is a teacher as defined in this article.

36 q. "Teachers' Pension and Annuity Fund," hereinafter referred
37 to as the "retirement system" or "system," is the corporate name of
38 the arrangement for the payment of retirement allowances and other
39 benefits under the provisions of this article, including the several
40 funds placed under said system. By that name all its business shall
41 be transacted, its funds invested, warrants for money drawn, and
42 payments made and all of its cash and securities and other property
43 held.

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

1 II, between September 1, 1939, and September 2, 1945, and who
2 was inducted into such service through voluntary enlistment, and
3 was a citizen of the United States at the time of such enlistment, and
4 who did not, during or by reason of such service, renounce or lose
5 United States citizenship, and any officer, soldier, sailor, marine,
6 airman, nurse or army field clerk who has served in the active
7 military or naval service of the United and has or shall be
8 discharged or released therefrom under conditions other than
9 dishonorable, in any of the following wars, uprisings, insurrections,
10 expeditions or emergencies,] person honorably discharged or
11 released under honorable circumstances from federal active service
12 in any branch of the Armed Forces of the United States or a Reserve
13 component thereof and who has presented to the [retirement
14 system] Adjutant General of the Department of Military and
15 Veterans Affairs evidence of such record of service in form and
16 content satisfactory to [said retirement system]:

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

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

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

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

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

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

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

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

36 (9) World War I, between April 6, 1917, and November 11,
37 1918;

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

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

16 (12) Lebanon crisis, on or after July 1, 1958, who has served in
17 Lebanon or on board any ship actively engaged in patrolling the
18 territorial waters of that nation for a period, continuous or in the
19 aggregate, of at least 14 days commencing on or before November
20 1, 1958 or the date of termination of that conflict, 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 (13) Vietnam conflict, on or after December 31, 1960, and on or
27 prior to May 7, 1975, who shall have served at least 90 days in such
28 active service, exclusive of any period of assignment (1) for a
29 course of education or training under the Army Specialized
30 Training Program or the Navy College Training Program, which
31 course was a continuation of a civilian course and was pursued to
32 completion, or (2) as a cadet or midshipman at one of the service
33 academies, any part of which 90 days was served between said
34 dates; and exclusive of any service performed pursuant to the
35 provisions of section 511(d) of Title 10, United States Code,
36 pursuant to an enlistment in the Army National Guard or as a
37 reserve for service in the Army Reserve, Naval Reserve, Air Force
38 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided
39 that any person receiving an actual service-incurred injury or
40 disability shall be classed as a veteran, whether or not that person
41 has completed the 90-day service as herein provided;

42 (14) Lebanon peacekeeping mission, on or after September 26,
43 1982, who has served in Lebanon 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 December 1, 1987 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 (15) Grenada peacekeeping mission, on or after October 23,
6 1983, who has served in Grenada or on board any ship actively
7 engaged in patrolling the territorial waters of that nation for a
8 period, continuous or in the aggregate, of at least 14 days
9 commencing on or before November 21, 1983 or the date of
10 termination of that mission, as proclaimed by the President of the
11 United States or Congress, whichever date of termination is the
12 latest, in such active service; provided, that any person receiving an
13 actual service-incurred injury or disability shall be classed as a
14 veteran whether or not that person has completed the 14 days'
15 service as herein provided;

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

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

42 (18) Operation Northern Watch and Operation Southern Watch,
43 on or after August 27, 1992, or the date of inception of that
44 operation, as proclaimed by the President of the United States,
45 Congress or United States Secretary of Defense, whichever date of
46 inception is earliest, who served in the theater of operation,
47 including in the Arabian peninsula and the Persian Gulf, and in
48 direct support of that operation for a period, continuously or in the

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

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

19 (20) Operations "Joint Endeavor" and "Joint Guard" in the
20 Republic of Bosnia and Herzegovina, on or after November 20,
21 1995, who served in such active service in direct support of one or
22 both of the operations for at least 14 days, continuously or in the
23 aggregate, commencing on or before June 20, 1998, and (1) was
24 deployed in that nation or in another area in the region, or (2) was
25 on board a United States naval vessel operating in the Adriatic Sea,
26 or (3) operated in airspace above the Republic of Bosnia and
27 Herzegovina; provided that any person receiving an actual service-
28 incurred injury or disability shall be classed as a veteran whether or
29 not that person completed the 14-day service requirement;

30 (21) Operation "Enduring Freedom", on or after September 11,
31 2001, who served in a theater of operation and in direct support of
32 that operation for a period, continuously or in the aggregate, of at
33 least 14 days in such active service commencing on or before the
34 date the President of the United States or the United States
35 Secretary of Defense designates as the termination date of that
36 operation; provided, that any person receiving an actual service-
37 incurred injury or disability while engaged in such service shall be
38 classed as a veteran whether or not that person has completed the 14
39 days' service as herein provided; and

40 (22) Operation "Iraqi Freedom", on or after the date the President
41 of the United States or the United States Secretary of Defense
42 designates as the inception date of that operation, who served in
43 Iraq or in another area in the region in direct support of that
44 operation for a period, continuously or in the aggregate, of at least
45 14 days in such active service commencing on or before the date the
46 President of the United States or the United States Secretary of
47 Defense designates as the termination date of that operation;
48 provided, that any person receiving an actual service-incurred injury

1 or disability while engaged in such service shall be classed as a
2 veteran whether or not that person has completed the 14 days'
3 service as herein provided **】** the Adjutant General.

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

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

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

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

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

43 u. (1) "Widow," for employees of the State, means the woman
44 to whom a member was married, or a domestic partner as defined in
45 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
46 the date of his death and to whom he continued to be married or a
47 domestic partner until the date of his death and who was receiving
48 at least one-half of her support from the member in the 12-month

1 period immediately preceding the member's death or the accident
2 which was the direct cause of the member's death. The dependency
3 of such a widow will be considered terminated by the marriage of,
4 or establishment of a domestic partnership by, the widow
5 subsequent to the member's death. In the event of the payment of an
6 accidental death benefit, the five-year qualification shall be waived.

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

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

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

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

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

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

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

41 (cf: P.L.2018, c.129, s.1)

42

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

44 18A:66-13. Prior service credit. A member may file a detailed
45 statement of:

46 a. school service and service in a similar capacity in other states
47 and in schools within and outside the United States operated by a
48 department of the United States Government for the instruction of

1 the children of United States Government officers and employees,
2 or

3 b. other public employment in other states or with the United
4 States Government which would be eligible for credit in a State-
5 administered retirement system if the employment was with a
6 public employer in this State, or

7 c. **【military】** federal active service in any branch of the Armed
8 Forces of the United States or in a Reserve component thereof,
9 rendered prior to becoming a member, for which the member
10 desires credit, and of such other facts as the retirement system may
11 require. The member may purchase credit for all or a portion of the
12 service evidenced in the statement up to the nearest number of years
13 and months, but not exceeding 10 years, provided however, that a
14 member purchasing that maximum credit may purchase up to five
15 additional years **【for additional military】** of federal active service
16 qualifying the member as a veteran as defined in N.J.S.18A:66-2 in
17 any branch of the Armed Forces of the United States or a Reserve
18 component thereof. No application shall be accepted for the
19 purchase of credit for **【such】**: (1) a period of service if, at the time
20 of application, the member has a vested right to retirement benefits
21 in another retirement system based in whole or in part upon that
22 service; or (2) a period of federal active service in any branch of a
23 Reserve component of the Armed Forces of the United States that is
24 concurrent with other service described in subsections a. and b. of
25 this section.

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

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

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

7 Notwithstanding any other provision of law to the contrary,
8 service credit established in the retirement system by a member
9 through purchase in accordance with this section, which purchase
10 was made by an application submitted on or after the effective date
11 of P.L.2008, c.89, except a purchase for **【military】** federal active
12 service in any branch of the Armed Forces of the United States or a
13 Reserve component thereof, shall not be eligible for consideration
14 when service is used to determine the qualification of the member
15 for any health care benefits coverage paid, in whole or in part, by a
16 public employer after the member's retirement.

17 (cf: P.L.2008, c.89, s.3)

18

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

21 6. As used in this act:

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

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

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

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

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

42 f. "Parent" shall mean the parent of a member who was
43 receiving at least 1/2 of the parent's support from the member in the
44 12-month period immediately preceding the member's death or the
45 accident which was the direct cause of the member's death. The
46 dependency of such a parent will be considered terminated by
47 marriage of the parent subsequent to the death of the member.

1 g. (1) "Widower," for employees of the State, means the man to
2 whom a member was married, or a domestic partner as defined in
3 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
4 the date of her death and to whom she continued to be married or a
5 domestic partner until the date of her death and who was receiving
6 at least 1/2 of his 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 widower will be considered terminated by marriage of, or
10 establishment of a domestic partnership by, the widower subsequent
11 to the death of the member. In the event of the payment of an
12 accidental death benefit, the five-year qualification shall be waived.

13 (2) Subject to the provisions of paragraph (3) of this subsection,
14 "widower," for employees of public employers other than the State,
15 means the man to whom a member was married at least five years
16 before the date of her death and to whom she continued to be
17 married until the date of her death and who was receiving at least
18 1/2 of his support from the member in the 12-month period
19 immediately preceding the member's death or the accident which
20 was the direct cause of the member's death. The dependency of such
21 a widower shall be considered terminated by marriage of the
22 widower subsequent to the death of the member. In the event of the
23 payment of an accidental death benefit, the five-year qualification
24 shall be waived.

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

29 h. (1) "Final compensation" means the average annual
30 compensation for which contributions are made for the three years
31 of creditable service in New Jersey immediately preceding the
32 member's retirement or death, or it shall mean the average annual
33 compensation for New Jersey service for which contributions are
34 made during any three fiscal years of his or her membership
35 providing the largest possible benefit to the member or the
36 member's beneficiary.

37 (2) In the case of a person who becomes a member of the
38 retirement system on or after the effective date of P.L.2010, c.1,
39 "final compensation" means the average annual compensation for
40 which contributions are made for the five years of creditable service
41 in New Jersey immediately preceding the member's retirement or
42 death, or it shall mean the average annual compensation for New
43 Jersey service for which contributions are made during any five
44 fiscal years of his or her membership providing the largest possible
45 benefit to the member or the member's beneficiary.

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

- 1 j. "Medical board" shall mean the board of physicians
2 provided for in section 17 of P.L.1954, c.84 (C.43:15A-17).
- 3 k. "Pension" means payments for life derived from
4 appropriations made by the employer as provided in this act.
- 5 l. "Pension reserve" means the present value of all payments to
6 be made on account of any pension or benefit in lieu of a pension
7 granted under the provisions of this act, computed on the basis of
8 such mortality tables recommended by the actuary as the board of
9 trustees adopts, with regular interest.
- 10 m. "Public Employees' Retirement System of New Jersey,"
11 hereinafter referred to as the "retirement system" or "system," is the
12 corporate name of the arrangement for the payment of retirement
13 allowances and other benefits under the provisions of this act
14 including the several funds placed under said system. By that name
15 all of its business shall be transacted, its funds invested, warrants
16 for money drawn, and payments made and all of its cash and
17 securities and other property held.
- 18 n. "Regular interest" shall mean interest as determined by the
19 State Treasurer, after consultation with the Directors of the
20 Divisions of Investment and Pensions, the board of trustees and the
21 actuary. It shall bear a reasonable relationship to the percentage rate
22 of earnings on investments based on the market value of the assets
23 but shall not exceed the assumed percentage rate of increase applied
24 to salaries plus 3%, provided however that the board of trustees
25 shall not set the average percentage rate of increase applied to
26 salaries below 6%.
- 27 o. "Retirement allowance" means the pension plus the annuity.
- 28 p. "Veteran" means any [honorably discharged officer, soldier,
29 sailor, airman, marine or nurse who served in any Army, Air Force
30 or Navy of the Allies of the United States in World War I, between
31 July 14, 1914, and November 11, 1918, or who served in any Army,
32 Air Force or Navy of the Allies of the United States in World War
33 II, between September 1, 1939, and September 2, 1945, and who
34 was inducted into such service through voluntary enlistment, and
35 was a citizen of the United States at the time of such enlistment, and
36 who did not, during or by reason of such service, renounce or lose
37 United States citizenship, and any officer, soldier, sailor, marine,
38 airman, nurse or army field clerk, who has served in the active
39 military or naval service of the United States and has or shall be
40 discharged or released therefrom under conditions other than
41 dishonorable, in any of the following wars, uprisings, insurrections,
42 expeditions, or emergencies,] person honorably discharged or
43 released under honorable circumstances from federal active service
44 in any branch of the Armed Forces of the United States or a Reserve
45 component thereof and who has presented to the [retirement
46 system] Adjutant General of the Department of Military and
47 Veterans Affairs evidence of such record of service in form and
48 content satisfactory to [said retirement system]:

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20

- 1 (1) The Indian wars and uprisings during any of the periods
2 recognized by the War Department of the United States as periods
3 of active hostility;
- 4 (2) The Spanish-American War between April 20, 1898, and
5 April 11, 1899;
- 6 (3) The Philippine insurrections and expeditions during the
7 periods recognized by the War Department of the United States as
8 of active hostility from February 4, 1899, to the end of 1913;
- 9 (4) The Peking relief expedition between June 20, 1900, and
10 May 27, 1902;
- 11 (5) The army of Cuban occupation between July 18, 1898, and
12 May 20, 1902;
- 13 (6) The army of Cuban pacification between October 6, 1906,
14 and April 1, 1909;
- 15 (7) The Mexican punitive expedition between March 14, 1916,
16 and February 7, 1917;
- 17 (8) The Mexican border patrol, having actually participated in
18 engagements against Mexicans between April 12, 1911, and June
19 16, 1919;
- 20 (9) World War I, between April 6, 1917, and November 11,
21 1918;
- 22 (10) World War II, between September 16, 1940, and December
23 31, 1946, who shall have served at least 90 days in such active
24 service, exclusive of any period of assignment (1) for a course of
25 education or training under the Army Specialized Training Program
26 or the Navy College Training Program which course was a
27 continuation of a civilian course and was pursued to completion, or
28 (2) as a cadet or midshipman at one of the service academies any
29 part of which 90 days was served between said dates; provided, that
30 any person receiving an actual service-incurred injury or disability
31 shall be classed as a veteran whether or not that person has
32 completed the 90-day service as herein provided;
- 33 (11) Korean conflict on or after June 23, 1950, and on or prior to
34 January 31, 1955, who shall have served at least 90 days in such
35 active service, exclusive of any period of assignment (1) for a
36 course of education or training under the Army Specialized
37 Training Program or the Navy College Training Program which
38 course was a continuation of a civilian course and was pursued to
39 completion, or (2) as a cadet or midshipman at one of the service
40 academies, any part of which 90 days was served between said
41 dates; provided, that any person receiving an actual service-incurred
42 injury or disability shall be classed as a veteran whether or not that
43 person has completed the 90-day service as herein provided; and
44 provided further, that any member classed as a veteran pursuant to
45 this paragraph prior to August 1, 1966, shall continue to be classed
46 as a veteran whether or not that person completed the 90-day
47 service between said dates as herein provided;

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

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

27 (14) Lebanon peacekeeping mission, on or after September 26,
28 1982, who has served in Lebanon or on board any ship actively
29 engaged in patrolling the territorial waters of that nation for a
30 period, continuous or in the aggregate, of at least 14 days
31 commencing on or before December 1, 1987 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 (15) Grenada peacekeeping mission, on or after October 23,
39 1983, who has served in Grenada or on board any ship actively
40 engaged in patrolling the territorial waters of that nation for a
41 period, continuous or in the aggregate, of at least 14 days
42 commencing on or before November 21, 1983 or the date of
43 termination of that mission, as proclaimed by the President of the
44 United States or Congress, whichever date of termination is the
45 latest, in such active service; provided, that any person receiving an
46 actual service-incurred injury or disability shall be classed as a
47 veteran whether or not that person has completed the 14 days'
48 service as herein provided;

1 (16) Panama peacekeeping mission, on or after December 20,
2 1989 or the date of inception of that mission, as proclaimed by the
3 President of the United States or Congress, whichever date of
4 inception is earliest, who has served in Panama 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 January 31, 1990 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 (17) Operation "Desert Shield/Desert Storm" mission in the
15 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
16 or the date of inception of that operation, as proclaimed by the
17 President of the United States or Congress, whichever date of
18 inception is earliest, who has served in the Arabian peninsula or on
19 board any ship actively engaged in patrolling the Persian Gulf for a
20 period, continuous or in the aggregate, of at least 14 days
21 commencing on or before the date of termination of that mission, as
22 proclaimed by the President of the United States or Congress,
23 whichever date of termination is the latest, in such active service;
24 provided, that any person receiving an actual service-incurred injury
25 or disability shall be classed as a veteran whether or not that person
26 has completed the 14 days' service as herein provided;

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

42 (19) Operation "Restore Hope" in Somalia, on or after December
43 5, 1992, or the date of inception of that operation as proclaimed by
44 the President of the United States or Congress, whichever date is
45 earliest, who has served in Somalia or on board any ship actively
46 engaged in patrolling the territorial waters of that nation for a
47 period, continuously or in the aggregate, of at least 14 days in such
48 active service commencing on or before March 31, 1994; provided

1 that any person receiving an actual service-incurred injury or
2 disability shall be classed as a veteran whether or not that person
3 has completed the 14-day service as herein provided;

4 (20) Operations "Joint Endeavor" and "Joint Guard" in the
5 Republic of Bosnia and Herzegovina, on or after November 20,
6 1995, who served in such active service in direct support of one or
7 both of the operations for at least 14 days, continuously or in the
8 aggregate, commencing on or before June 20, 1998 and (1) was
9 deployed in that nation or in another area in the region, or (2) was
10 on board a United States naval vessel operating in the Adriatic Sea,
11 or (3) operated in airspace above the Republic of Bosnia and
12 Herzegovina; provided that any person receiving an actual service-
13 incurred injury or disability shall be classed as a veteran whether or
14 not that person completed the 14-day service requirement;

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

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

37 【"Veteran" also means any honorably discharged member of the
38 American Merchant Marine who served during World War II and is
39 declared by the United States Department of Defense to be eligible
40 for federal veterans' benefits.】

41 q. (1) "Widow," for employees of the State, means the woman
42 to whom a member was married, or a domestic partner as defined in
43 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
44 the date of his death and to whom he continued to be married or a
45 domestic partner until the date of his death and who was receiving
46 at least 1/2 of her support from the member in the 12-month period
47 immediately preceding the member's death or the accident which
48 was the direct cause of the member's death. The dependency of such

1 a widow will be considered terminated by the marriage of, or
2 establishment of a domestic partnership by, the widow subsequent
3 to the member's death. In the event of the payment of an accidental
4 death benefit, the five-year qualification shall be waived.

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

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

21 r. (1) "Compensation" means the base or contractual salary, for
22 services as an employee, which is in accordance with established
23 salary policies of the member's employer for all employees in the
24 same position but shall not include individual salary adjustments
25 which are granted primarily in anticipation of the member's
26 retirement or additional remuneration for performing temporary or
27 extracurricular duties beyond the regular workday or the regular
28 work year.

29 (2) In the case of a person who becomes a member of the
30 retirement system on or after July 1, 2007, "compensation" means
31 the amount of base or contractual salary equivalent to the annual
32 maximum wage contribution base for Social Security, pursuant to
33 the Federal Insurance Contributions Act, for services as an
34 employee, which is in accordance with established salary policies of
35 the member's employer for all employees in the same position but
36 shall not include individual salary adjustments which are granted
37 primarily in anticipation of the member's retirement or additional
38 remuneration for performing temporary or extracurricular duties
39 beyond the regular workday or the regular work year. This
40 paragraph shall not apply to a person who at the time of enrollment
41 in the retirement system on or after July 1, 2007 transfers service
42 credit from another State-administered retirement system pursuant
43 to section 14 of P.L.1954, c.84 (C.43:15A-14), but shall apply to a
44 former member of the retirement system who has been granted a
45 retirement allowance and is reenrolled in the retirement system on
46 or after July 1, 2007 pursuant to section 27 of P.L.1966, c.217
47 (C.43:15A-57.2) after becoming employed again in a position that
48 makes the person eligible to be a member of the retirement system.

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

4 For the period of July 1, 2009 through June 30, 2011,
5 "contractual salary" for State employees shall include across the
6 board negotiated wage increases under a collective negotiations
7 agreement that were payable to all State employees covered by that
8 agreement notwithstanding that, by amendment to that collective
9 negotiations agreement, the effective date of the contractual
10 increase has been deferred. For the purpose of this paragraph,
11 "State employee" means an employee in the Executive Branch or
12 the Judicial Branch of State government of New Jersey or an
13 employee of the State University authorized to participate in the
14 system under subsection b. of section 73 of P.L.1954, c.84
15 (C.43:15A-73), but shall not include employees of agencies
16 authorized to participate in the system under subsections a., c., d.,
17 e., f., and g. of section 73 of P.L.1954, c.84 (C.43:15A-73) or under
18 P.L.1990, c.25 (C.43:15A-73.2 et al.).

19 For the period of July 1, 2009 through June 30, 2011,
20 "contractual salary" for county and municipal employees shall
21 include across the board negotiated wage increases under a
22 collective negotiations agreement that were payable to all county or
23 all municipal employees covered by that agreement notwithstanding
24 that, by amendment to that collective negotiations agreement which
25 has been filed with the Division of Pensions and Benefits, the
26 effective date of the contractual increase has been deferred. For the
27 purpose of this paragraph, "county and municipal employees"
28 means all persons employed by a county or municipality in this
29 State.

30 (cf: P.L.2010, c.50, s.71)

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, c.84
37 (C.43:15A-1 et seq.), as a result of the provisions of **[this act,]**
38 P.L.2001, c.127, P.L.2001, c.128, and P.L. , c. (pending before
39 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]** federal active service in any branch of

1 the Armed Forces of the United States or in a Reserve component
2 thereof, or of service resulting from initial appointment or
3 employment on or after January 1, 2002 with a bi-state or multi-
4 state agency established pursuant to an interstate compact to which
5 the State is a party which would be eligible for credit in a State-
6 administered retirement system if the employment was with a
7 public employer in this State, rendered prior to becoming a member,
8 for which the member desires credit, and of such other facts as the
9 retirement system may require. The member may purchase credit
10 for all or a portion of the service evidenced in the statement up to
11 the nearest number of years and months, but not exceeding 10
12 years, provided however, that a member purchasing that maximum
13 credit may purchase up to five additional years **【for additional**
14 **military】** of federal active service qualifying the member as a
15 veteran as defined in section 6 of P.L.1954, c.84 (C.43:15A-6) in
16 any branch of the Armed Forces of the United States or a Reserve
17 component thereof. No application shall be accepted for the
18 purchase of credit for **【the】**: (1) a period of service if, at the time of
19 application, the member has a vested right to retirement benefits in
20 another retirement system based in whole or in part upon that
21 service; or (2) a period of federal active service in any branch of a
22 Reserve component of the Armed Forces of the United States that is
23 concurrent with other service described in this paragraph. The
24 member may purchase credit for the service by paying into the
25 annuity savings fund the amount required by applying the factor,
26 supplied by the actuary as being applicable to the member's age at
27 the time of the purchase, to the member's salary at that time, or to
28 the highest annual compensation for service in this State for which
29 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】** federal active service in any
36 branch of the Armed Forces of the United States or a Reserve
37 component thereof shall not be liable for any payment to the
38 retirement system on behalf of the member for the purchase of this
39 credit.

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

1 Any member electing to make a purchase pursuant to this section
2 who retires prior to completing payments as agreed with the
3 retirement system will receive pro rata credit for the purchase prior
4 to the date of retirement, but if the member so elects at the time of
5 retirement, the member may make the additional lump sum payment
6 required at that time to provide full credit.

7 Notwithstanding any other provision of law to the contrary,
8 service credit established in the retirement system by a member
9 through purchase in accordance with this section, which purchase
10 was made by an application submitted on or after the effective date
11 of P.L.2008, c.89, except a purchase for **【military】** federal active
12 service in any branch of the Armed Forces of the United States or a
13 Reserve component thereof, shall not be eligible for consideration
14 when service is used to determine the qualification of the member
15 for any health care benefits coverage paid, in whole or in part, by a
16 public employer after the member's retirement.

17 (cf: P.L.2008, c.89, s.4)

18
19 9. Section 1 of P.L.1983, c.391 (C.43:16A-11.7) is amended to
20 read as follows:

21 1. For purposes of this act "veteran" means any **【honorably**
22 **discharged officer, soldier, sailor, airman, marine or nurse who**
23 **served in any Army, Air Force or Navy of the Allies of the United**
24 **States in World War I, between July 14, 1914, and November 11,**
25 **1918, or who served in any Army, Air Force or Navy of the Allies**
26 **of the United States in World War II, between September 1, 1939,**
27 **and September 2, 1945, and who was inducted into such service**
28 **through voluntary enlistment, and was a citizen of the United States**
29 **at the time of such enlistment, and who did not, during or by reason**
30 **of such service, renounce or lose United States citizenship, and any**
31 **officer, soldier, sailor, marine, airman, nurse or army field clerk,**
32 **who has served in the active military or naval service of the United**
33 **States and has or shall be discharged or released therefrom under**
34 **conditions other than dishonorable, in any of the following wars,**
35 **uprisings, insurrections, expeditions, or emergencies,】** person
36 honorably discharged or released under honorable circumstances
37 from federal active service in any branch of the Armed Forces of
38 the United States or a Reserve component thereof and who has
39 presented to the **【retirement system】** Adjutant General of the
40 Department of Military and Veterans Affairs evidence of such
41 record of service in form and content satisfactory to **【said**
42 **retirement system:**

43 (1) The Indian wars and uprisings during any of the periods
44 recognized by the War Department of the United States as periods
45 of active hostility;

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

- 1 (3) The Philippine insurrections and expeditions during the
2 periods recognized by the War Department of the United States as
3 of active hostility from February 4, 1899, to the end of 1913;
- 4 (4) The Peking relief expedition between June 20, 1900, and
5 May 27, 1902;
- 6 (5) The army of Cuban occupation between July 18, 1898, and
7 May 20, 1902;
- 8 (6) The army of Cuban pacification between October 6, 1906,
9 and April 1, 1909;
- 10 (7) The Mexican punitive expedition between March 14, 1916,
11 and February 7, 1917;
- 12 (8) The Mexican border patrol, having actually participated in
13 engagements against Mexicans between April 12, 1911, and June
14 16, 1919;
- 15 (9) World War I between April 6, 1917, and November 11,
16 1918;
- 17 (10) World War II, between September 16, 1940, and December
18 31, 1946, who shall have served at least 90 days in such active
19 service, exclusive of any period of assignment (1) for a course of
20 education or training under the Army Specialized Training Program
21 or the Navy College Training program which course was a
22 continuation of a civilian course and was pursued to completion, or
23 (2) as a cadet or midshipman at one of the service academies any
24 part of which 90 days was served between said dates; provided, that
25 any person receiving an actual service-incurred injury or disability
26 shall be classed as a veteran whether or not that person has
27 completed the 90-day service as herein provided;
- 28 (11) Korean conflict on or after June 23, 1950, and on or prior to
29 January 31, 1955, who shall have served at least 90 days in such
30 active service, exclusive of any period of assignment (1) for a
31 course of education or training under the Army Specialized
32 Training Program or the Navy College Training Program which
33 course was a continuation of a civilian course and was pursued to
34 completion, or (2) as a cadet or midshipman at one of the service
35 academies, any part of which 90 days was served between said
36 dates; 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 90-day service as herein provided; and
39 provided further, that any member classed as a veteran pursuant to
40 this subparagraph prior to August 1, 1966, shall continue to be
41 classed as a veteran whether or not the member completed the 90-
42 day service between said dates as herein provided;
- 43 (12) Lebanon crisis, on or after July 1, 1958, who has served in
44 Lebanon or on board any ship actively engaged in patrolling the
45 territorial waters of that nation for a period, continuous or in the
46 aggregate, of at least 14 days commencing on or before November
47 1, 1958 or the date of termination of that conflict, as proclaimed by
48 the President of the United States or Congress, whichever date of

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

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

21 (14) Lebanon peacekeeping mission, on or after September 26,
22 1982, who has served in Lebanon or on board any ship actively
23 engaged in patrolling the territorial waters of that nation for a
24 period, continuous or in the aggregate, of at least 14 days
25 commencing on or before December 1, 1987 or the date of
26 termination of that mission, as proclaimed by the President of the
27 United States or Congress, whichever date of termination is the
28 latest, in such active service; provided, that any person receiving an
29 actual service-incurred injury or disability shall be classed as a
30 veteran whether or not that person has completed the 14 days'
31 service as herein provided;

32 (15) Grenada peacekeeping mission, on or after October 23,
33 1983, who has served in Grenada or on board any ship actively
34 engaged in patrolling the territorial waters of that nation for a
35 period, continuous or in the aggregate, of at least 14 days
36 commencing on or before November 21, 1983 or the date of
37 termination of that mission, as proclaimed by the President of the
38 United States or Congress, whichever date of termination is the
39 latest, in such active service; provided, that any person receiving an
40 actual service-incurred injury or disability shall be classed as a
41 veteran whether or not that person has completed the 14 days'
42 service as herein provided;

43 (16) Panama peacekeeping mission, on or after December 20,
44 1989 or the date of inception of that mission, as proclaimed by the
45 President of the United States or Congress, whichever date of
46 inception is earliest, who has served in Panama or on board any ship
47 actively engaged in patrolling the territorial waters of that nation for
48 a period, continuous or in the aggregate, of at least 14 days

1 commencing on or before January 31, 1990 or the date of
2 termination of that mission, as proclaimed by the President of the
3 United States or Congress, whichever date of termination is the
4 latest, in such active service; provided, that any person receiving an
5 actual service-incurred injury or disability shall be classed as a
6 veteran whether or not that person has completed the 14 days'
7 service as herein provided;

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

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

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

46 (20) Operations "Joint Endeavor" and "Joint Guard" in the
47 Republic of Bosnia and Herzegovina, on or after November 20,
48 1995, who served in such active service in direct support of one or

1 both of the operations for at least 14 days, continuously or in the
2 aggregate, commencing on or before June 20, 1998, and (1) was
3 deployed in that nation or in another area in the region, or (2) was
4 on board a United States naval vessel operating in the Adriatic Sea,
5 or (3) operated in airspace above the Republic of Bosnia and
6 Herzegovina; provided that any person receiving an actual service-
7 incurred injury or disability shall be classed as a veteran whether or
8 not that person completed the 14-day service requirement;

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

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

31 "Veteran" also means any honorably discharged member of the
32 American Merchant Marine who served during World War II and is
33 declared by the United States Department of Defense to be eligible
34 for federal veterans' benefits **】** the Adjutant General.

35 (cf: P.L.2005, c.64, s.4)

36

37 10. Section 3 of P.L.1991, c.153 (C.43:16A-11.11) is amended
38 to read as follows:

39 3. Members of Police and Firemen's Retirement System may
40 purchase credit

41 A member of the Police and Firemen's Retirement System may
42 file a detailed statement of public employment in other states or
43 with the United States Government which would be eligible for
44 credit in a State-administered retirement system if the employment
45 was with a public employer in this State, or of **【military】** federal
46 active service in the Armed Forces of the United States or in a
47 Reserve component thereof, rendered prior to becoming a member,
48 for which the member desires credit, and of such other facts as the

1 retirement system may require. The member may purchase credit
2 for all or a portion of the service evidenced in the statement up to
3 the nearest number of years and months, but not exceeding 10
4 years, provided however, that a member purchasing that maximum
5 credit may purchase up to five additional years **【for additional**
6 **military】** of federal active service qualifying the member as a
7 veteran as defined in section 1 of P.L.1983, c.391 (C.43:16A-11.7)
8 in the Armed Forces of the United States or a Reserve component
9 thereof. No application shall be accepted for the purchase of credit
10 for **【the】**: (1) a period of service if, at the time of application, the
11 member has a vested right to retirement benefits in another
12 retirement system based in whole or in part upon that service; or (2)
13 a period of federal active service in a Reserve component of the
14 Armed Forces of the United States that is concurrent with other
15 service described in this paragraph.

16 The member may purchase credit for the service by paying into
17 the annuity savings fund the amount required by applying the
18 factor, supplied by the actuary as being applicable to the member's
19 age at the time of the purchase, to the member's salary at that time,
20 or to the highest annual compensation for service in this State for
21 which contributions were made during any prior fiscal year of
22 membership, whichever is greater. The purchase may be made in
23 regular installments equal to at least 1/2 of the full normal
24 contribution to the retirement system, over a maximum period of 10
25 years. The employer of a member who applies, pursuant to this
26 section, to purchase credit for public employment with the United
27 States Government or for **【military】** federal active service in any
28 branch of the Armed Forces of the United States or a Reserve
29 component thereof, shall not be liable for any payment to the
30 retirement system on behalf of the member for the purchase of this
31 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 public employment in other
36 states or with the United States Government or **【military】** federal
37 active service in any branch of 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.3)

46

47 11. Section 3 of P.L.1965, c.89 (C.53:5A-3) is amended to read
48 as follows:

1 3. As used in this act:

2 a. "Aggregate contributions" means the sum of all the amounts,
3 deducted from the salary of a member or contributed by him or on
4 his behalf, standing to the credit of his individual account in the
5 Annuity Savings Fund. Interest credited on contributions to the
6 former "State Police Retirement and Benevolent Fund" shall be
7 included in a member's aggregate contributions.

8 b. "Annuity" means payments for life derived from the
9 aggregate contributions of a member.

10 c. "Annuity reserve" means the present value of all payments
11 to be made on account of any annuity or benefit in lieu of an
12 annuity, computed upon the basis of such mortality tables
13 recommended by the actuary as the board of trustees adopts and
14 regular interest.

15 d. "Beneficiary" means any person entitled to receive any
16 benefit pursuant to the provisions of this act by reason of the death
17 of a member or retirant.

18 e. "Board of trustees" or "board" means the board provided for
19 in section 30 of this act.

20 f. "Child" means a deceased member's or retirant's unmarried
21 child either (a) under the age of 18, or (b) 18 years of age or older
22 and enrolled in a secondary school, or (c) under the age of 24 and
23 enrolled in a degree program in an institution of higher education
24 for at least 12 credit hours in each semester, provided that the
25 member died in active service as a result of an accident met in the
26 actual performance of duty at some definite time and place, and the
27 death was not the result of the member's willful misconduct, or (d)
28 of any age who, at the time of the member's or retirant's death, is
29 disabled because of an intellectual disability or physical incapacity,
30 is unable to do any substantial, gainful work because of the
31 impairment and his impairment has lasted or can be expected to last
32 for a continuous period of not less than 12 months, as affirmed by
33 the medical board.

34 g. "Creditable service" means service rendered for which credit
35 is allowed on the basis of contributions made by the member or the
36 State.

37 h. "Parent" means the parent of a member who was receiving at
38 least one-half of his support from the member in the 12-month
39 period immediately preceding the member's death or the accident
40 which was the direct cause of the member's death. The dependency
41 of such a parent will be considered terminated by marriage of the
42 parent subsequent to the death of the member.

43 i. (1) "Final compensation" means the average compensation
44 received by the member in the last 12 months of creditable service
45 preceding his retirement or death. Such term includes the value of
46 the member's maintenance allowance for this same period.

47 (2) In the case of a person who becomes a member of the
48 retirement system on or after the effective date of P.L.2010, c.1,

- 1 "final compensation" means the average annual compensation for
2 service for which contributions are made during any three fiscal
3 years of membership providing the largest possible benefit to the
4 member or the member's beneficiary. Such term includes the value
5 of the member's maintenance allowance for this same period.
- 6 j. (1) "Final salary" means the average salary received by the
7 member in the last 12 months of creditable service preceding his
8 retirement or death. Such term shall not include the value of the
9 member's maintenance allowance.
- 10 (2) In the case of a person who becomes a member of the
11 retirement system on or after the effective date of P.L.2010, c.1,
12 "final salary" means the average annual salary for service for which
13 contributions are made during any three fiscal years of membership
14 providing the largest possible benefit to the member or the
15 member's beneficiary. Such term shall not include the value of the
16 member's maintenance allowance.
- 17 k. "Fiscal year" means any year commencing with July 1 and
18 ending with June 30 next following.
- 19 l. "Medical board" means the board of physicians provided for
20 in section 30 of this act.
- 21 m. "Member" means any full-time, commissioned officer, non-
22 commissioned officer or trooper of the Division of State Police of
23 the Department of Law and Public Safety of the State of New Jersey
24 enrolled in the retirement system established by this act.
- 25 n. "Pension" means payment for life derived from contributions
26 by the State.
- 27 o. "Pension reserve" means the present value of all payments to
28 be made on account of any pension or benefit in lieu of any pension
29 computed on the basis of such mortality tables recommended by the
30 actuary as shall be adopted by the board of trustees and regular
31 interest.
- 32 p. "Regular interest" means interest as determined by the State
33 Treasurer, after consultation with the Directors of the Divisions of
34 Investment and Pensions, the board of trustees and the actuary. It
35 shall bear a reasonable relationship to the percentage rate of
36 earnings on investments based on the market value of the assets but
37 shall not exceed the assumed percentage rate of increase applied to
38 salaries plus 3%, provided however that the board of trustees shall
39 not set the average percentage rate of increase applied to salaries
40 below 6%.
- 41 q. "Retirant" means any former member receiving a retirement
42 allowance as provided by this act.
- 43 r. "Retirement allowance" means the pension plus the annuity.
- 44 s. "State Police Retirement System of New Jersey," herein also
45 referred to as the "retirement system" or "system," is the corporate
46 name of the arrangement for the payment of retirement allowances
47 and of the benefits under the provisions of this act including the
48 several funds placed under said system. By that name, all of its

1 business shall be transacted, its funds invested, warrants for moneys
2 drawn, and payments made and all of its cash and securities and
3 other property held. All assets held in the name of the former
4 "State Police Retirement and Benevolent Fund" shall be transferred
5 to the retirement system established by this act.

6 t. "Surviving spouse" means the person to whom a member or
7 a retirant was married, or a domestic partner as defined in section 3
8 of P.L.2003, c.246 (C.26:8A-3), on the date of the death of the
9 member or retirant. The dependency of such a surviving spouse will
10 be considered terminated by the marriage of, or establishment of a
11 domestic partnership by, the surviving spouse subsequent to the
12 member's or the retirant's death, except that in the event of the
13 payment of accidental death benefits, pursuant to section 14 of
14 P.L.1965, c.89 (C.53:5A-14), the dependency of such a surviving
15 spouse or domestic partner will not be considered terminated by the
16 marriage of, or establishment of a domestic partnership by, the
17 surviving spouse subsequent to the member's death.

18 u. (1) "Compensation" for purposes of computing pension
19 contributions means the base salary, for services as a member as
20 defined in this act, which is in accordance with established salary
21 policies of the State for all employees in the same position but shall
22 not include individual salary adjustments which are granted
23 primarily in anticipation of the member's retirement or additional
24 remuneration for performing temporary duties beyond the regular
25 workday or shift.

26 (2) In the case of a person who becomes a member of the
27 retirement system on or after the effective date of P.L.2010, c.1,
28 "compensation" means the amount of base salary equivalent to the
29 annual maximum wage contribution base for Social Security,
30 pursuant to the Federal Insurance Contributions Act, for services as
31 a member as defined in this act, which is in accordance with
32 established salary policies of the State for all employees in the same
33 position but shall not include individual salary adjustments which
34 are granted primarily in anticipation of the member's retirement or
35 additional remuneration for performing temporary duties beyond
36 the regular workday or shift.

37 v. "Veteran" means any person **【**who has served in the United
38 States Armed Forces and has or shall be discharged or released
39 therefrom under conditions other than dishonorable, in any of the
40 following wars or emergencies,**】** person honorably discharged or
41 released under honorable circumstances from federal active service
42 in any branch of the Armed Forces of the United States or a Reserve
43 component thereof and who has presented to the **【**retirement
44 system**】** Adjutant General of the Department of Military and
45 Veterans Affairs evidence of such record of service in form and
46 content satisfactory to the **【**retirement system**】**:

47 (1) Vietnam conflict on or after December 31, 1960, and on or
48 prior to May 7, 1975, who shall have served at least 90 days in such

1 active service, exclusive of any period of assignment (1) for a
2 course of education or training under the Army Specialized
3 Training Program or the Navy College Training Program which
4 course was a continuation of a civilian course and was pursued to
5 completion, or (2) as a cadet or midshipman at one of the service
6 academies, any part of which 90 days was served between said
7 dates; and exclusive of any service performed pursuant to the
8 provisions of section 511 (d) of Title 10, United States Code,
9 pursuant to an enlistment in the Army National Guard or as a
10 reserve for service in the Army Reserve, Naval Reserve, Air Force
11 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
12 that any person receiving an actual service-incurred injury or
13 disability shall be classed as a veteran whether or not that person
14 has completed the 90 days' service as herein provided;

15 (2) Lebanon peacekeeping mission, on or after September 26,
16 1982, who has served in Lebanon or on board any ship actively
17 engaged in patrolling the territorial waters of that nation for a
18 period, continuous or in the aggregate, of at least 14 days
19 commencing on or before December 1, 1987 or the date of
20 termination of that mission, as proclaimed by the President of the
21 United States or Congress, whichever date of termination is the
22 latest, in such active service; provided, that any person receiving an
23 actual service-incurred injury or disability shall be classed as a
24 veteran whether or not that person has completed the 14 days'
25 service as herein provided;

26 (3) Grenada peacekeeping mission, on or after October 23,
27 1983, who has served in Grenada or on board any ship actively
28 engaged in patrolling the territorial waters of that nation for a
29 period, continuous or in the aggregate, of at least 14 days
30 commencing on or before November 21, 1983 or the date of
31 termination of that mission, as proclaimed by the President of the
32 United States or Congress, whichever date of termination is the
33 latest, in such active service; provided, that any person receiving an
34 actual service-incurred injury or disability shall be classed as a
35 veteran whether or not that person has completed the 14 days'
36 service as herein provided;

37 (4) Panama peacekeeping mission, on or after December 20,
38 1989 or the date of inception of that mission, as proclaimed by the
39 President of the United States or Congress, whichever date of
40 inception is earliest, who has served in Panama or on board any ship
41 actively engaged in patrolling the territorial waters of that nation for
42 a period, continuous or in the aggregate, of at least 14 days
43 commencing on or before January 31, 1990 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 (5) Operation "Desert Shield/Desert Storm" mission in the
4 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
5 or the date of inception of that operation, as proclaimed by the
6 President of the United States or Congress, whichever date of
7 inception is earliest, who has served in the Arabian peninsula or on
8 board any ship actively engaged in patrolling the Persian Gulf for a
9 period, continuous or in the aggregate, of at least 14 days
10 commencing on or before the date of termination of that mission, as
11 proclaimed by the President of the United States or Congress,
12 whichever date of termination is the latest, in such active service;
13 provided, that any person receiving an actual service-incurred injury
14 or disability shall be classed as a veteran whether or not that person
15 has completed the 14 days' service as herein provided;

16 (6) Operation Northern Watch and Operation Southern Watch,
17 on or after August 27, 1992, or the date of inception of that
18 operation, as proclaimed by the President of the United States,
19 Congress or United States Secretary of Defense, whichever date of
20 inception is earliest, who served in the theater of operation,
21 including in the Arabian peninsula and the Persian Gulf, and in
22 direct support of that operation for a period, continuously or in the
23 aggregate, of at least 14 days in such active service, commencing on
24 or before the date of termination of that operation, as proclaimed by
25 the President of the United States, Congress or United States
26 Secretary of Defense, whichever date of termination is the latest;
27 provided, that any person receiving an actual service-incurred injury
28 or disability while engaged in such service shall be classed as a
29 veteran whether or not that person has completed the 14 days'
30 service as herein provided;

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

41 (8) Operations "Joint Endeavor" and "Joint Guard" in the
42 Republic of Bosnia and Herzegovina, on or after November 20,
43 1995, who served in such active service in direct support of one or
44 both of the operations for at least 14 days, continuously or in the
45 aggregate, commencing on or before June 20, 1998, and (1) was
46 deployed in that nation or in another area in the region, or (2) was
47 on board a United States naval vessel operating in the Adriatic Sea,
48 or (3) operated in airspace above the Republic of Bosnia and

1 Herzegovina; provided that any person receiving an actual service-
2 incurred injury or disability shall be classed as a veteran whether or
3 not that person completed the 14-day service requirement;

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

14 (10) Operation "Iraqi Freedom", on or after the date the President
15 of the United States or the United States Secretary of Defense
16 designates as the inception date of that operation, who served in
17 Iraq or in another area in the region 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.] Adjutant General.

26 (cf: P.L.2016, c.26, s.1)

27

28 12. (New section) Notwithstanding any other law to the
29 contrary, a resident of this State who is in federal active service in
30 any branch of the Armed Forces of the United States or a Reserve
31 component thereof, and has not been discharged or released
32 therefrom, but who otherwise qualifies as a veteran, shall be eligible
33 for a civil service preference on the same basis as a veteran.
34 Instead of the certificate of honorable discharge or release under
35 honorable circumstances required to be provided to the Adjutant
36 General of the Department of Military and Veterans Affairs
37 pursuant to N.J.S.11A:5-1, the applicant shall provide to the
38 Adjutant General, in a form and content the Adjutant General shall
39 deem appropriate, evidence of status in federal active service in any
40 branch of the Armed Forces of the United States or a Reserve
41 component thereof and evidence of subsequent discharge therefrom
42 no later than eight days prior to the issuance of an employment list
43 for which that individual received a passing score.

44

45 13. N.J.S.11A:5-13 and section 3 of P.L.2001, c.128 (C.43:15A-
46 24b) are repealed.

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1 14. This act shall take effect immediately, except that section 1
2 shall take effect on the 1st day of the calendar year following
3 approval by the voters of an authorizing amendment to Article VII,
4 Section I, paragraph 2 of the Constitution of the State of New
5 Jersey.