

SENATE, No. 3041

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED SEPTEMBER 22, 2022

Sponsored by:

Senator ANDREW ZWICKER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Senator VIN GOPAL

District 11 (Monmouth)

Co-Sponsored by:

Senators Cryan and Diegnan

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 introduced.



(Sponsorship Updated As Of: 9/29/2022)

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 examination¹:

44 (1) World War I, between April 6, 1917 and November 11,
45 1918;

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 (2) World War II, on or after September 16, 1940, who shall
2 have served at least 90 days beginning on or before December 31,
3 1946 in such active service, exclusive of any period of assignment
4 for a 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 as a cadet or midshipman at one of the service
8 academies; except that any person receiving an actual service-
9 incurred injury or disability shall be classed a veteran whether or
10 not that person has completed the 90-day service;

11 (3) Korean conflict, on or after June 23, 1950, who shall have
12 served at least 90 days beginning on or before January 31, 1955, in
13 active service, exclusive of any period of assignment for a course of
14 education or training under the Army Specialized Training Program
15 or the Navy College Training Program, which course was a
16 continuation of a civilian course and was pursued to completion, or
17 as a cadet or midshipman at one of the service academies; except
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-day service;

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

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

46 (6) Lebanon peacekeeping mission, on or after September 26,
47 1982, who has served in Lebanon or on board any ship actively
48 engaged in patrolling the territorial waters of that nation for a

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

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

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

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

46 (10) Operation Northern Watch and Operation Southern Watch,
47 on or after August 27, 1992, or the date of inception of that
48 operation, as proclaimed by the President of the United States,

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

13 (11) Operation "Restore Hope" in Somalia, on or after December
14 5, 1992, or the date of inception of that operation as proclaimed by
15 the President of the United States or the Congress, whichever date
16 is earliest, who has served in Somalia or on board any ship actively
17 engaged in patrolling the territorial waters of that nation for a
18 period, continuously or in the aggregate, of at least 14 days in such
19 active service commencing on or before March 31, 1994; provided
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 14-day service as herein provided;

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

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

44 (14) Operation "Enduring Freedom", on or after September 11,
45 2001, who served in a theater of operation and in direct support of
46 that operation for a period, continuously or in the aggregate, of at
47 least 14 days in such active service commencing on or before the
48 date the President of the United States or the United States

1 Secretary of Defense designates as the termination date of that
2 operation; provided, that any person receiving an actual service-
3 incurred injury or disability while engaged in such service shall be
4 classed as a veteran whether or not that person has completed the 14
5 days' service as herein provided; and

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

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

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

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

25

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

27 11A:5-3. Parent and spouse of veteran who has died in service.
28 A parent and spouse of any veteran who died while in, and as a
29 result of, federal active service and who would have qualified under
30 this chapter as a veteran, shall be entitled to a disabled veterans'
31 preference. Where both a parent and spouse survive, the exercise of
32 the preference by one shall suspend the right of any other so long as
33 the first individual who exercises preference remains in the employ
34 of the State or any political subdivision operating under the
35 provisions of this title.

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

37

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

39 11A:5-11. A veteran with any physical disability caused by
40 **【wounds or injuries received in the line of duty in the military or**
41 **naval forces of the United States during war service set forth in**
42 **N.J.S.11A:5-1】** an injury, disease or disability incurred as a result
43 of federal active service in any branch of the Armed Forces of the
44 United States or a Reserve component thereof, shall not be
45 discriminated against in an examination, classification or
46 appointment because of the disability, unless this disability, in the
47 opinion of the Civil Service Commission, would incapacitate the

1 veteran from properly performing the duties of the office, position
2 or employment for which applied.

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

4

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

6 18A:66-2. As used in this article:

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

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

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

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

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

44 For the period of July 1, 2009 through June 30, 2011,
45 "contractual salary" for State employees shall include wage
46 increases under a collective negotiations agreement notwithstanding
47 that, by amendment to that collective negotiations agreement, the
48 effective date of the contractual increase has been deferred. For the

1 purpose of this paragraph, "State employee" means an employee in
2 the Executive Branch of State government of New Jersey.

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

6 f. (1) "Final compensation" means the average annual
7 compensation for which contributions are made for the three years
8 of creditable service in New Jersey immediately preceding the
9 member's retirement or death, or it shall mean the average annual
10 compensation for New Jersey service for which contributions are
11 made during any three fiscal years of his or her membership
12 providing the largest possible benefit to the member or the
13 member's beneficiary.

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

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

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

28 i. "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 article, computed on
31 the basis of such mortality tables recommended by the actuary as
32 the board of trustees adopts, with regular interest.

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

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

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

44 m. "Regular interest" shall mean interest as determined by the
45 State Treasurer, after consultation with the Directors of the
46 Divisions of Investment and Pensions, the board of trustees and the
47 actuary. It shall bear a reasonable relationship to the percentage rate
48 of earnings on investments based on the market value of assets but

1 shall not exceed the assumed percentage rate of increase applied to
2 salaries plus 3%, provided however that the board of trustees shall
3 not set the average percentage rate of increase applied to salaries
4 below 6%.

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

6 o. "School service" means any service as a "teacher" as defined
7 in this section.

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

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

42 r. "Veteran" means any [honorably discharged officer, soldier,
43 sailor, airman, marine or nurse who served in any Army, Air Force
44 or Navy of the Allies of the United States in World War I between
45 July 14, 1914, and November 11, 1918, or who served in any Army,
46 Air Force or Navy of the Allies of the United States in World War
47 II, between September 1, 1939, and September 2, 1945, and who
48 was inducted into such service through voluntary enlistment, and

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

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

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

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

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

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

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

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

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

34 (9) World War I, between April 6, 1917, and November 11,
35 1918;

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

47 (11) Korean conflict on or after June 23, 1950, and on or prior to
48 January 31, 1955, 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; provided that any person receiving an actual service-incurred
8 injury or disability shall be classed as a veteran, whether or not that
9 person has completed the 90-day service as herein provided; and
10 provided further that any member classed as a veteran pursuant to
11 this subsection prior to August 1, 1966, shall continue to be classed
12 as a veteran, whether or not that person completed the 90-day
13 service between said dates as herein provided;

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

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

40 (14) Lebanon peacekeeping mission, on or after September 26,
41 1982, who has served in Lebanon or on board any ship actively
42 engaged in patrolling the territorial waters of that nation for a
43 period, continuous or in the aggregate, of at least 14 days
44 commencing on or before December 1, 1987 or the date of
45 termination of that mission, as proclaimed by the President of the
46 United States or Congress, whichever date of termination is the
47 latest, in such active service; provided, that any person receiving an
48 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 (15) Grenada peacekeeping mission, on or after October 23,
4 1983, who has served in Grenada or on board any ship actively
5 engaged in patrolling the territorial waters of that nation for a
6 period, continuous or in the aggregate, of at least 14 days
7 commencing on or before November 21, 1983 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 (16) Panama peacekeeping mission, on or after December 20,
15 1989 or the date of inception of that mission, as proclaimed by the
16 President of the United States or Congress, whichever date of
17 inception is earliest, who has served in Panama or on board any ship
18 actively engaged in patrolling the territorial waters of that nation for
19 a period, continuous or in the aggregate, of at least 14 days
20 commencing on or before January 31, 1990 or the date of
21 termination of that mission, as proclaimed by the President of the
22 United States or Congress, whichever date of termination is the
23 latest, in such active service; provided, that any person receiving an
24 actual service-incurred injury or disability shall be classed as a
25 veteran whether or not that person has completed the 14 days'
26 service as herein provided;

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

40 (18) Operation Northern Watch and Operation Southern Watch,
41 on or after August 27, 1992, or the date of inception of that
42 operation, as proclaimed by the President of the United States,
43 Congress or United States Secretary of Defense, whichever date of
44 inception is earliest, who served in the theater of operation,
45 including in the Arabian peninsula and the Persian Gulf, and in
46 direct support of that operation for a period, continuously or in the
47 aggregate, of at least 14 days in such active service, commencing on
48 or before the date of termination of the operation, as proclaimed by

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

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

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

28 (21) Operation "Enduring Freedom", on or after September 11,
29 2001, who served in a theater of operation and in direct support of
30 that operation for a period, continuously or in the aggregate, of at
31 least 14 days in such active service commencing on or before the
32 date the President of the United States or the United States
33 Secretary of Defense designates as the termination date of that
34 operation; provided, that any person receiving an actual service-
35 incurred injury or disability while engaged in such service shall be
36 classed as a veteran whether or not that person has completed the 14
37 days' service as herein provided; and

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

1 veteran whether or not that person has completed the 14 days'
2 service as herein provided】 the Adjutant General.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41

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

43 18A:66-13. Prior service credit. A member may file a detailed
44 statement of:

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

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

1 Veterans Affairs evidence of such record of service in form and
2 content satisfactory to [said retirement system:

3 (1) The Indian wars and uprisings during any of the periods
4 recognized by the War Department of the United States as periods
5 of active hostility;

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

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

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

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

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

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

19 (8) The Mexican border patrol, having actually participated in
20 engagements against Mexicans between April 12, 1911, and June
21 16, 1919;

22 (9) World War I, between April 6, 1917, and November 11,
23 1918;

24 (10) World War II, between September 16, 1940, and December
25 31, 1946, who shall have served at least 90 days in such active
26 service, exclusive of any period of assignment (1) for a course of
27 education or training under the Army Specialized Training Program
28 or the Navy College Training Program which course was a
29 continuation of a civilian course and was pursued to completion, or
30 (2) as a cadet or midshipman at one of the service academies any
31 part of which 90 days was served between said dates; provided, that
32 any person receiving an actual service-incurred injury or disability
33 shall be classed as a veteran whether or not that person has
34 completed the 90-day service as herein provided;

35 (11) Korean conflict on or after June 23, 1950, and on or prior to
36 January 31, 1955, who shall have served at least 90 days in such
37 active service, exclusive of any period of assignment (1) for a
38 course of education or training under the Army Specialized
39 Training Program or the Navy College Training Program which
40 course was a continuation of a civilian course and was pursued to
41 completion, or (2) as a cadet or midshipman at one of the service
42 academies, any part of which 90 days was served between said
43 dates; provided, that any person receiving an actual service-incurred
44 injury or disability shall be classed as a veteran whether or not that
45 person has completed the 90-day service as herein provided; and
46 provided further, that any member classed as a veteran pursuant to
47 this paragraph prior to August 1, 1966, shall continue to be classed

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1 as a veteran whether or not that person completed the 90-day
2 service between said dates as herein provided;

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

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

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

40 (15) Grenada peacekeeping mission, on or after October 23,
41 1983, who has served in Grenada or on board any ship actively
42 engaged in patrolling the territorial waters of that nation for a
43 period, continuous or in the aggregate, of at least 14 days
44 commencing on or before November 21, 1983 or the date of
45 termination of that mission, as proclaimed by the President of the
46 United States or Congress, whichever date of termination is the
47 latest, in such active service; provided, that any person receiving an
48 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 (16) Panama peacekeeping mission, on or after December 20,
4 1989 or the date of inception of that mission, as proclaimed by the
5 President of the United States or Congress, whichever date of
6 inception is earliest, who has served in Panama or on board any ship
7 actively engaged in patrolling the territorial waters of that nation for
8 a period, continuous or in the aggregate, of at least 14 days
9 commencing on or before January 31, 1990 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 (17) Operation "Desert Shield/Desert Storm" mission in the
17 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
18 or the date of inception of that operation, as proclaimed by the
19 President of the United States or Congress, whichever date of
20 inception is earliest, who has served in the Arabian peninsula or on
21 board any ship actively engaged in patrolling the Persian Gulf for a
22 period, continuous or in the aggregate, of at least 14 days
23 commencing on or before the date of termination of that mission, as
24 proclaimed by the President of the United States or Congress,
25 whichever date of termination is the latest, in such active service;
26 provided, that any person receiving an actual service-incurred injury
27 or disability shall be classed as a veteran whether or not that person
28 has completed the 14 days' service as herein provided;

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

44 (19) Operation "Restore Hope" in Somalia, on or after December
45 5, 1992, or the date of inception of that operation as proclaimed by
46 the President of the United States or Congress, whichever date is
47 earliest, who has served in Somalia or on board any ship actively
48 engaged in patrolling the territorial waters of that nation for a

1 period, continuously or in the aggregate, of at least 14 days in such
2 active service commencing on or before March 31, 1994; provided
3 that any person receiving an actual service-incurred injury or
4 disability shall be classed as a veteran whether or not that person
5 has completed the 14-day service as herein provided;

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

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

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

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

43 q. (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 1/2 of her support from the member in the 12-month period

1 immediately preceding the member's death or the accident which
2 was the direct cause of the member's death. The dependency of such
3 a widow will be considered terminated by the marriage of, or
4 establishment of a domestic partnership by, the widow subsequent
5 to the member's death. In the event of the payment of an accidental
6 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 1/2 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 "widow" as defined in paragraph
21 (2) of this subsection shall include domestic partners as provided in
22 paragraph (1) of this subsection.

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

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

1 (C.43:15A-57.2) after becoming employed again in a position that
2 makes the person eligible to be a member of the retirement system.

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

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

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

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

33

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

36 4. The State shall be liable for any increased cost to local
37 government employers participating in the Public Employees'
38 Retirement System, established pursuant to P.L.1954, c.84
39 (C.43:15A-1 et seq.), as a result of the provisions of **[this act,]**
40 P.L.2001, c.127, P.L.2001, c.128, and P.L. , c. (pending before
41 the Legislature as this bill).

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

43

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

46 2. A member may file a detailed statement of public
47 employment in other states or with the United States Government
48 which would be eligible for credit in a State-administered

1 retirement system if the employment was with a public employer in
2 this State, or of **【military】** federal active service in any branch of
3 the Armed Forces of the United States or in a Reserve component
4 thereof, or of service resulting from initial appointment or
5 employment on or after January 1, 2002 with a bi-state or multi-
6 state agency established pursuant to an interstate compact to which
7 the State is a party which would be eligible for credit in a State-
8 administered retirement system if the employment was with a
9 public employer in this State, rendered prior to becoming a member,
10 for which the member desires credit, and of such other facts as the
11 retirement system may require. The member may purchase credit
12 for all or a portion of the service evidenced in the statement up to
13 the nearest number of years and months, but not exceeding 10
14 years, provided however, that a member purchasing that maximum
15 credit may purchase up to five additional years **【for additional**
16 **military】** of federal active service qualifying the member as a
17 veteran as defined in section 6 of P.L.1954, c.84 (C.43:15A-6) in
18 any branch of the Armed Forces of the United States or a Reserve
19 component thereof. No application shall be accepted for the
20 purchase of credit for **【the】**: (1) a period of service if, at the time of
21 application, the member has a vested right to retirement benefits in
22 another retirement system based in whole or in part upon that
23 service; or (2) a period of federal active service in any branch of a
24 Reserve component of the Armed Forces of the United States that is
25 concurrent with other service described in this paragraph. The
26 member may purchase credit for the service by paying into the
27 annuity savings fund the amount required by applying the factor,
28 supplied by the actuary as being applicable to the member's age at
29 the time of the purchase, to the member's salary at that time, or to
30 the highest annual compensation for service in this State for which
31 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 1/2 of the full normal
34 contribution to the retirement system, over a maximum period of 10
35 years. The employer of a member who applies, pursuant to this
36 section, to purchase credit for public employment with the United
37 States Government or for **【military】** federal active service in any
38 branch of the Armed Forces of the United States or a Reserve
39 component thereof shall not be liable for any payment to the
40 retirement system on behalf of the member for the purchase of this
41 credit.

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

1 States or a Reserve component thereof or with a bi-state or multi-
2 state agency.

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

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

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

20

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

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

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

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

1 l, 1958 or the date of termination of that conflict, as proclaimed by
2 the President of the United States or Congress, whichever date of
3 termination is the latest, in such active service; provided, that any
4 person receiving an actual service-incurred injury or disability shall
5 be classed as a veteran whether or not that person has completed the
6 14 days' service as herein provided;

7 (13) Vietnam conflict on or after December 31, 1960, and on or
8 prior to May 7, 1975, who shall have served at least 90 days in such
9 active service, exclusive of any period of assignment (1) for a
10 course of education or training under the Army Specialized
11 Training Program or the Navy College Training Program which
12 course was a continuation of a civilian course and was pursued to
13 completion, or (2) as a cadet or midshipman at one of the service
14 academies, any part of which 90 days was served between said
15 dates; and exclusive of any service performed pursuant to the
16 provisions of section 511 (d) of Title 10, United States Code,
17 pursuant to an enlistment in the Army National Guard or as a
18 reserve for service in the Army Reserve, Naval Reserve, Air Force
19 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
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 days' service as herein provided;

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

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

45 (16) Panama peacekeeping mission, on or after December 20,
46 1989 or the date of inception of that mission, as proclaimed by the
47 President of the United States or Congress, whichever date of
48 inception is earliest, who has served in Panama or on board any ship

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

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

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

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

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

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

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

34 "Veteran" also means any honorably discharged member of the
35 American Merchant Marine who served during World War II and is
36 declared by the United States Department of Defense to be eligible
37 for federal veterans' benefits **】** the Adjutant General.
38 (cf: P.L.2005, c.64, s.4)

39
40 10. Section 3 of P.L.1991, c.153 (C.43:16A-11.11) is amended
41 to read as follows:

42 3. Members of Police and Firemen's Retirement System may
43 purchase credit

44 A member of the Police and Firemen's Retirement System may
45 file a detailed statement of public employment in other states or
46 with the United States Government which would be eligible for
47 credit in a State-administered retirement system if the employment
48 was with a public employer in this State, or of **】** military federal

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

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

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

42 Any member electing to purchase the service who retires prior to
43 completing payments as agreed with the retirement system will
44 receive pro rata credit for service purchased prior to the date of
45 retirement, but if the member so elects at the time of retirement, the

1 member may make the additional lump sum payment required at
2 that time to provide full credit.

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

4

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

7 3. As used in this act:

8 a. "Aggregate contributions" means the sum of all the amounts,
9 deducted from the salary of a member or contributed by him or on
10 his behalf, standing to the credit of his individual account in the
11 Annuity Savings Fund. Interest credited on contributions to the
12 former "State Police Retirement and Benevolent Fund" shall be
13 included in a member's aggregate contributions.

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

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

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

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

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

40 g. "Creditable service" means service rendered for which credit
41 is allowed on the basis of contributions made by the member or the
42 State.

43 h. "Parent" means the parent of a member who was receiving at
44 least one-half of his support from the member in the 12-month
45 period immediately preceding the member's death or the accident
46 which was the direct cause of the member's death. The dependency
47 of such a parent will be considered terminated by marriage of the
48 parent subsequent to the death of the member.

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

5 (2) In the case of a person who becomes a member of the
6 retirement system on or after the effective date of P.L.2010, c.1,
7 "final compensation" means the average annual compensation for
8 service for which contributions are made during any three fiscal
9 years of membership providing the largest possible benefit to the
10 member or the member's beneficiary. Such term includes the value
11 of the member's maintenance allowance for this same period.

12 j. (1) "Final salary" means the average salary received by the
13 member in the last 12 months of creditable service preceding his
14 retirement or death. Such term shall not include the value of the
15 member's maintenance allowance.

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 salary" means the average annual salary for service for which
19 contributions are made during any three fiscal years of membership
20 providing the largest possible benefit to the member or the
21 member's beneficiary. Such term shall not include the value of the
22 member's maintenance allowance.

23 k. "Fiscal year" means any year commencing with July 1 and
24 ending with June 30 next following.

25 l. "Medical board" means the board of physicians provided for
26 in section 30 of this act.

27 m. "Member" means any full-time, commissioned officer, non-
28 commissioned officer or trooper of the Division of State Police of
29 the Department of Law and Public Safety of the State of New Jersey
30 enrolled in the retirement system established by this act.

31 n. "Pension" means payment for life derived from contributions
32 by the State.

33 o. "Pension reserve" means the present value of all payments to
34 be made on account of any pension or benefit in lieu of any pension
35 computed on the basis of such mortality tables recommended by the
36 actuary as shall be adopted by the board of trustees and regular
37 interest.

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

47 q. "Retirant" means any former member receiving a retirement
48 allowance as provided by this act.

- 1 r. "Retirement allowance" means the pension plus the annuity.
- 2 s. "State Police Retirement System of New Jersey," herein also
3 referred to as the "retirement system" or "system," is the corporate
4 name of the arrangement for the payment of retirement allowances
5 and of the benefits under the provisions of this act including the
6 several funds placed under said system. By that name, all of its
7 business shall be transacted, its funds invested, warrants for moneys
8 drawn, and payments made and all of its cash and securities and
9 other property held. All assets held in the name of the former
10 "State Police Retirement and Benevolent Fund" shall be transferred
11 to the retirement system established by this act.
- 12 t. "Surviving spouse" means the person to whom a member or
13 a retirant was married, or a domestic partner as defined in section 3
14 of P.L.2003, c.246 (C.26:8A-3), on the date of the death of the
15 member or retirant. The dependency of such a surviving spouse will
16 be considered terminated by the marriage of, or establishment of a
17 domestic partnership by, the surviving spouse subsequent to the
18 member's or the retirant's death, except that in the event of the
19 payment of accidental death benefits, pursuant to section 14 of
20 P.L.1965, c.89 (C.53:5A-14), the dependency of such a surviving
21 spouse or domestic partner will not be considered terminated by the
22 marriage of, or establishment of a domestic partnership by, the
23 surviving spouse subsequent to the member's death.
- 24 u. (1) "Compensation" for purposes of computing pension
25 contributions means the base salary, for services as a member as
26 defined in this act, which is in accordance with established salary
27 policies of the State for all employees in the same position but shall
28 not include individual salary adjustments which are granted
29 primarily in anticipation of the member's retirement or additional
30 remuneration for performing temporary duties beyond the regular
31 workday or shift.
- 32 (2) In the case of a person who becomes a member of the
33 retirement system on or after the effective date of P.L.2010, c.1,
34 "compensation" means the amount of base salary equivalent to the
35 annual maximum wage contribution base for Social Security,
36 pursuant to the Federal Insurance Contributions Act, for services as
37 a member as defined in this act, which is in accordance with
38 established salary policies of the State for all employees in the same
39 position but shall not include individual salary adjustments which
40 are granted primarily in anticipation of the member's retirement or
41 additional remuneration for performing temporary duties beyond
42 the regular workday or shift.
- 43 v. "Veteran" means any person [who has served in the United
44 States Armed Forces and has or shall be discharged or released
45 therefrom under conditions other than dishonorable, in any of the
46 following wars or emergencies,] person honorably discharged or
47 released under honorable circumstances from federal active service
48 in any branch of the Armed Forces of the United States or a Reserve

1 component thereof and who has presented to the [retirement
2 system] Adjutant General of the Department of Military and
3 Veterans Affairs evidence of such record of service in form and
4 content satisfactory to the [retirement system]:

5 (1) 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 (2) 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 (3) 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 (4) 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 (5) 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 (6) 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 (7) 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 (8) 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 (9) 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 (10) 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 **】** Adjutant General.

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

32

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

1 13. N.J.S.11A:5-13 and section 3 of P.L.2001, c.128 (C.43:15A-
2 24b) are repealed.

3

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

9

10

11

STATEMENT

12

13 This bill broadens the eligibility for certain veterans' benefits by
14 eliminating the requirement that a veteran serve during specific
15 wars or other periods of emergency, and, in certain instances, that a
16 veteran serve in a war zone. Instead of service during specific dates
17 or in specific locations, the bill requires federal active service in
18 any branch of the United States Armed Forces or a Reserve
19 component thereof.

20 The benefits in the bill are (1) a civil service preference under
21 Title 11A of the New Jersey Statutes; (2) a veteran's retirement
22 allowance under the Teachers' Pension and Annuity Fund (TPAF)
23 or the Public Employees' Retirement System (PERS); and (3) the
24 purchase of additional military service credit in the Police and
25 Firemen's Retirement System (PFRS), TPAF, PERS, and the State
26 Police Retirement System (SPRS).

27 Eligibility for the civil service benefits for all veterans is
28 contingent upon voter approval of an authorizing amendment to the
29 State Constitution.