

SENATE, No. 3411

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 10, 2024

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

SYNOPSIS

Establishes EMS part of PERS; provides enhanced benefits for emergency medical service employees.

CURRENT VERSION OF TEXT

As introduced.



S3411 CRYAN

2

1 AN ACT concerning retirement benefits for emergency medical
2 services employees and supplementing P.L.1954, c.84
3 (C.43:15A-1 et seq.).

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

7
8 1. As used in this act, P.L. , c. (C.) (pending before
9 the Legislature as this bill):

10 "Emergency medical services employee" means an employee
11 serving in one of the following positions: emergency medical
12 technician; mobile intensive care paramedic; paramedic; flight
13 paramedic; mobile intensive care nurse; flight nurse; emergency
14 medical services supervisor or deputy supervisor; emergency
15 medical services chief or deputy chief; emergency medical services
16 hazardous materials responder technician; emergency medical
17 services coordinator, dispatcher, or instructor; or any position the
18 primary or essential duties of which require the employee to be
19 trained in basic or advanced life support services, as defined in
20 section 1 of P.L.1984, c.146 (C.26:2K-7) or section 1 of P.L.1985,
21 c.351 (C.26:2K-21), and who is certified or licensed by the
22 Department of Health to perform these services.

23 "Beneficiary" means any person entitled to receive any benefit
24 pursuant to the provisions of this act by reason of the death of a
25 member or retirant of the EMS Part.

26 "Final compensation" means the annual salary received by the
27 member of the EMS Part at the time of retirement or death.

28 "Retirant" means any former member of the EMS Part receiving
29 a pension or retirement allowance as provided by this act,
30 P.L. , c. (C.) (pending before the Legislature as this bill).

31
32 2. a. Notwithstanding the provisions of any other law, an
33 emergency medical services employee shall be a member of the
34 EMS Part established pursuant to this act, P.L. , c. (C.)
35 (pending before the Legislature as this bill), of the Public
36 Employees' Retirement System, established pursuant to P.L.1954,
37 c.84 (C.43:15A-1 et seq.), and shall be subject to the same
38 membership and benefit provisions as State, county, or municipal
39 employees, except as provided by this act, P.L. , c. (C.)
40 (pending before the Legislature as this bill).

41 Membership in the retirement system shall be a condition of
42 employment for service as an emergency medical services
43 employee. Any service credit which has been established in the
44 Public Employees' Retirement System prior to the effective date of
45 this act, P.L. , c. (C.) (pending before the Legislature as
46 this bill), shall be established in the EMS Part without further
47 assessment of cost to the member.

S3411 CRYAN

1 b. All outstanding obligations, such as loans, purchases and
2 other arrearage, shall be satisfied by member as previously
3 scheduled for payment to the Public Employees' Retirement
4 System.

5
6 3. a. Notwithstanding the provisions of section 25 of P.L.1954,
7 c.84 (C.43:15A-25) to the contrary, a separate account shall be
8 established in the annuity savings fund for each member of the
9 EMS Part and all contributions based on the member's salary shall
10 be credited to this account.

11 b. A member of the EMS Part shall contribute at a rate
12 established by the board, which contribution shall be deducted from
13 the salary at the time or times it is paid, and which shall be
14 exclusive of any other contribution required of the member for
15 Social Security, contributory death benefits, or deductions for any
16 other purpose. The contribution rate shall be 10 percent of the
17 member's salary on and after the effective date of this act,
18 P.L. , c. (C.) (pending before the Legislature as this bill).

19 c. A member of the EMS Part who is enrolled in the retirement
20 system on the basis of other public service before, during, or after
21 service as an emergency medical services employee shall contribute
22 for such other service at the rate of contribution required of other
23 members as provided by section 25.

24
25 4. a. Any member of the EMS Part who has attained age 55
26 years may retire on a service retirement allowance by filing with the
27 retirement system a written application, duly attested, stating at
28 what time subsequent to the execution and filing thereof the
29 member desires to be retired. The board of trustees shall retire the
30 member at the time specified or at such other time within one month
31 after the date so specified as the board finds advisable.

32 Any member in service who attains age 70 years shall be retired
33 by the board of trustees on a service retirement allowance forthwith
34 on the first day of the next calendar month or at such time within
35 one month thereafter as it finds advisable, except that a member
36 attaining age 70 years may be continued in service on an annual
37 basis upon written notice to the retirement system by the employer
38 if the member is a State employee, or governing body of the county
39 or municipality, as appropriate, if the member is a county or
40 municipal employee.

41 b. Upon retirement for service, a member of the EMS Part shall
42 receive a service retirement allowance which shall consist of:

43 (1) An annuity which shall be the actuarial equivalent of the
44 member's aggregate contributions and

45 (2) A pension in the amount which, when added to the member's
46 annuity, will provide a total retirement allowance of one-sixtieth of
47 average final compensation multiplied by the number of years of
48 creditable service, or 2 percent of average final compensation

S3411 CRYAN

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1 multiplied by the number of years of creditable service up to 30
2 plus 1 percent of average final compensation multiplied by the
3 number of years of creditable service over 30, or 50 percent of final
4 compensation if the member has established 20 or more years of
5 creditable service, whichever is greater.

6 c. Any member as of the effective date of this act,
7 P.L. , c. (C.) (pending before the Legislature as this bill),
8 who has 20 or more years of creditable service at the time of
9 retirement shall be entitled to receive a retirement allowance equal
10 to 50 percent of final compensation plus, in the case of a member
11 required to retire pursuant to the provisions of subsection a. of this
12 section, 3 percent of final compensation multiplied by the number
13 of years of creditable service over 20 but not over 25.

14 d. Upon the receipt of proper proofs of the death of a member
15 of the EMS Part who has retired on a service retirement allowance,
16 there shall be paid to the member's beneficiary an amount equal to
17 one-half of the compensation upon which contributions by the
18 member to the annuity savings fund were based in the last year of
19 creditable service.

20

21 5. Should a member of the EMS Part resign after having
22 established 25 years of creditable service, the member may elect
23 "special retirement," provided, that such election is communicated
24 by the member to the retirement system by filing a written
25 application, duly attested, stating at what time subsequent to the
26 execution and filing thereof the member desires to be retired. The
27 member shall receive, in lieu of the payment provided in section 4
28 of P.L. , c. (C.) (pending before the Legislature as this
29 bill), a retirement allowance which shall consist of:

30 (1) An annuity which shall be the actuarial equivalent of the
31 member's aggregate contributions and

32 (2) A pension in the amount which, when added to the
33 member's annuity, will provide a total retirement allowance of 65
34 percent of final compensation, plus 1 percent of final compensation
35 multiplied by the number of years of creditable service over 25 but
36 not over 30.

37 The board of trustees shall retire the member at the time
38 specified or at such other time within one month after the date so
39 specified as the board finds advisable.

40 Upon the receipt of proper proofs of the death of such a retirant,
41 there shall be paid to the retirant's beneficiary an amount equal to
42 one-half of the final compensation received by the retirant.

43

44 6. Should a member of the EMS Part, after having established
45 10 years of creditable service, be separated voluntarily or
46 involuntarily from the service, before reaching age 55, and not by
47 removal for cause on charges of misconduct or delinquency, such
48 person may elect to receive the payments provided for in section 4

S3411 CRYAN

1 or 5 of P.L. , c. (C.) (pending before the Legislature as
2 this bill), or a deferred retirement allowance, beginning on the first
3 day of the month following the member's attainment of age 55 and
4 the filing of an application therefor, which shall consist of:

5 (1) An annuity which shall be the actuarial equivalent of the
6 member's aggregate contributions at the time of severance from the
7 service and

8 (2) A pension in the amount which, when added to the
9 member's annuity, will provide a total retirement allowance of 2
10 percent of final compensation multiplied by the number of years of
11 creditable service up to 30 plus 1 percent of final compensation
12 multiplied by the number of years of creditable service over 30,
13 provided that such inactive member may elect to receive payments
14 provided under section 4 or 5 of P.L. , c. (C.) (pending
15 before the Legislature as this bill), if the member qualified under
16 that section at the time of leaving service, except that in order to
17 avail themselves of the option, the member shall exercise such
18 option at least 30 days before the effective date of retirement. If
19 such inactive member shall die before attaining age 55, the
20 member's aggregate contributions shall be paid in accordance with
21 subsection c. of section 41 of P.L.1954, c.84 (C.43:15A-41). If
22 such inactive member shall die after attaining age 55 but before
23 filing an application for retirement benefits pursuant to this section
24 or section 5 of P.L. , c. (C.) (pending before the
25 Legislature as this bill) and has not withdrawn the member's
26 aggregate contributions, or in the event of death after retirement, an
27 amount equal to the accumulated deductions plus one-half of the
28 compensation upon which contributions by the member to the
29 annuity savings fund were based in the last year of creditable
30 service shall be paid to such member's beneficiary.

31 Any member who, having elected to receive a deferred
32 retirement allowance, again becomes an emergency medical
33 services employee covered by the EMS Part of the retirement
34 system while under the age of 55, shall thereupon be reenrolled. If
35 the member had discontinued service for more than two consecutive
36 years, subsequent contributions shall be at the member's former rate
37 increased for the years of inactive membership. The member shall
38 be credited with all service as a member of the EMS Part standing
39 to the member's credit at the time of an election to receive a
40 deferred retirement allowance.

41

42 7. The State shall be liable for any increased pension costs to a
43 county or municipality as a result of the enrollment of an
44 emergency medical services employee in the EMS Part established
45 pursuant to this act, P.L. , c. (C.) (pending before the
46 Legislature as this bill), of the Public Employees' Retirement
47 System, established pursuant to P.L.1954, c.84 (C.43:15A-1 et
48 seq.). The actuary for the Public Employees' Retirement System

1 shall determine the unfunded accrued liability for the EMS Part of
2 the retirement system and the benefits provided for members under
3 that part in the same manner provided for the determination of the
4 unfunded accrued liability of the retirement system by section 24 of
5 P.L.1954, c.84 (C.43:15A-24). This unfunded accrued liability
6 shall be amortized in the manner provided by section 24 over an
7 amortization period of 30 years.

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9 8. This act shall take effect immediately.

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STATEMENT

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14 This bill creates an EMS Part in the Public Employees'
15 Retirement System (PERS) to provide enhanced pension benefits
16 under terms identical to those provided to prosecutors under the
17 Prosecutors Part of the PERS, including mandatory retirement at
18 age 70.

19 The members of the EMS Part will include State, county, or
20 municipal employees serving in one of the following positions:
21 emergency medical technician; mobile intensive care paramedic;
22 paramedic; flight paramedic; mobile intensive care nurse; flight
23 nurse; emergency medical services supervisor or deputy supervisor;
24 emergency medical services chief or deputy chief; emergency
25 medical services hazardous materials responder technician;
26 emergency medical services coordinator, dispatcher, or instructor;
27 or any position the primary or essential duties of which require the
28 employee to be trained in basic or advanced life support services
29 and who is certified or licensed by the Department of Health to
30 perform these services.

31 The State will be liable for the increased pension costs payable
32 by counties or municipalities as a result this bill.