

SENATE, No. 2019

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 5, 2020

Sponsored by:

Senator JOSEPH A. LAGANA

District 38 (Bergen and Passaic)

SYNOPSIS

Extends certain benefits to veterans who received a badge, medal, or ribbon for serving in federal military campaign or expedition.

CURRENT VERSION OF TEXT

As introduced.



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1 AN ACT extending certain benefits to certain veterans and amending
2 various parts of the statutory law.

3

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

6

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

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

9 a. "Disabled veteran" means any veteran who is eligible to be
10 compensated for a service-connected disability from war service by
11 the United States Veterans Administration or who receives or is
12 entitled to receive equivalent compensation for a service-connected
13 disability which arises out of military or naval service as set forth in
14 this chapter and who has submitted sufficient evidence of the record
15 of disability incurred in the line of duty to the Adjutant General of
16 the Department of Military and Veterans' Affairs and received a
17 determination of status no later than eight days prior to the issuance
18 of an employment list, for which that individual received a passing
19 score on an examination;

20 b. "Veteran" means any honorably discharged soldier, sailor,
21 marine or nurse who served in any army or navy of the allies of the
22 United States in World War I, between July 14, 1914 and November
23 11, 1918, or who served in any army or navy of the allies of the
24 United States in World War II, between September 1, 1939 and
25 September 2, 1945 and who was inducted into that service through
26 voluntary enlistment, and was a citizen of the United States at the
27 time of the enlistment, and who did not renounce or lose his or her
28 United States citizenship; or any soldier, sailor, marine, airman,
29 nurse or army field clerk, who has served in the active military or
30 naval service of the United States and has been discharged or
31 released under other than dishonorable conditions from that service
32 in any of the following wars or conflicts, or campaigns or
33 expeditions, and who has presented to the Adjutant General of the
34 Department of Military and Veterans' Affairs sufficient evidence of
35 the record of service and received a determination of status no later
36 than eight days prior to the issuance of an employment list, for
37 which that individual received a passing score on an examination:

38 (1) World War I, between April 6, 1917 and November 11,
39 1918;

40 (2) World War II, on or after September 16, 1940, who shall
41 have served at least 90 days beginning on or before December 31,
42 1946 in such active service, exclusive of any period of assignment
43 for a course of education or training under the Army Specialized
44 Training Program or the Navy College Training Program, which
45 course was a continuation of a civilian course and was pursued to

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 completion, or as a cadet or midshipman at one of the service
2 academies; except that any person receiving an actual service-
3 incurred injury or disability shall be classed a veteran whether or
4 not that person has completed the 90-day service;

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

15 (4) Lebanon crisis, on or after July 1, 1958, who has served in
16 Lebanon or on board any ship actively engaged in patrolling the
17 territorial waters of that nation for a period, continuous or in the
18 aggregate, of at least 14 days commencing on or before November
19 1, 1958 or the date of termination of that conflict, as proclaimed by
20 the President of the United States or Congress, whichever date of
21 termination is the latest, in such active service; provided, that any
22 person receiving an actual service-incurred injury or disability shall
23 be classed as a veteran whether or not that person has completed the
24 14 days' service as herein provided;

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

40 (6) 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

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

3 (7) 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 (8) 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 (9) 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 (10) 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 that operation, as proclaimed by

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

17 (12) 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 (13) Operation "Uphold Democracy" in Haiti, on or after
29 September 19, 1994, who served in Haiti or on board any ship
30 actively engaged in patrolling the territorial waters of that nation for
31 a period, continuously or in the aggregate, of at least 14 days in
32 such active service commencing on or before March 31, 1995, and
33 who received an Armed Forces Expeditionary Medal for such
34 service; provided, that any person receiving an actual service-
35 incurred injury or disability shall be classed as a veteran whether or
36 not that person has completed the 14 days' service as herein
37 provided or received an Armed Forces Expeditionary Medal;

38 (14) Operation "Enduring Freedom", on or after September 11,
39 2001, who served in a theater of operation and in direct support of
40 that operation for a period, continuously or in the aggregate, of at
41 least 14 days in such active service commencing on or before the
42 date the President of the United States or the United States
43 Secretary of Defense designates as the termination date of that
44 operation; provided, that any person receiving an actual service-
45 incurred injury or disability while engaged in such service shall be
46 classed as a veteran whether or not that person has completed the 14
47 days' service as herein provided; **[and]**

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

13 (16) Campaign or expedition for which a service badge, medal,
14 or ribbon has been authorized and awarded to the service member
15 for serving in support of military combat operations;

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

18 (cf: P.L.2007, c.115, s.1)

19

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

21 18A:66-2. As used in this article:

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

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

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

31 d. (1) "Compensation" means the contractual salary, for
32 services as a teacher as defined in this article, which is in
33 accordance with established salary policies of the member's
34 employer for all employees in the same position but shall not
35 include individual salary adjustments which are granted primarily in
36 anticipation of the member's retirement or additional remuneration
37 for performing temporary or extracurricular duties beyond the
38 regular school day or the regular school year.

39 (2) In the case of a person who becomes a member of the
40 retirement system on or after July 1, 2007, "compensation" means
41 the amount of the contractual salary equivalent to the annual
42 maximum wage contribution base for Social Security, pursuant to
43 the Federal Insurance Contributions Act, for services as a teacher as
44 defined in this article, which is in accordance with established
45 salary policies of the member's employer for all employees in the
46 same position but shall not include individual salary adjustments
47 which are granted primarily in anticipation of the member's
48 retirement or additional remuneration for performing temporary or

1 extracurricular duties beyond the regular school day or the regular
2 school year. This paragraph shall not apply to a person who at the
3 time of enrollment in the retirement system on or after July 1, 2007
4 transfers service credit from another State-administered retirement
5 system pursuant to N.J.S.18A:66-15.1, but shall apply to a former
6 member of the retirement system who has been granted a retirement
7 allowance and is reenrolled in the retirement system on or after July
8 1, 2007 pursuant to N.J.S.18A:66-53.2 after becoming employed
9 again in a position that makes the person eligible to be a member of
10 the retirement system.

11 For the period of July 1, 2009 through June 30, 2011,
12 "contractual salary" for State employees shall include wage
13 increases under a collective negotiations agreement notwithstanding
14 that, by amendment to that collective negotiations agreement, the
15 effective date of the contractual increase has been deferred. For the
16 purpose of this paragraph, "State employee" means an employee in
17 the Executive Branch of State government of New Jersey.

18 e. "Employer" means the State, the board of education or any
19 educational institution or agency of or within the State by which a
20 teacher is paid.

21 f. (1) "Final compensation" means the average annual
22 compensation for which contributions are made for the three years
23 of creditable service in New Jersey immediately preceding the
24 member's retirement or death, or it shall mean the average annual
25 compensation for New Jersey service for which contributions are
26 made during any three fiscal years of his or her membership
27 providing the largest possible benefit to the member or the
28 member's beneficiary.

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

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

40 h. "Pension" means payments for life derived from
41 appropriations made by the State or employers to the Teachers'
42 Pension and Annuity Fund.

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

- 1 j. "Pension reserve" means the present value of all payments to
2 be made on account of any pension or benefit in lieu of a pension
3 granted to a member from the Teachers' Pension and Annuity Fund,
4 computed on the basis of such mortality tables recommended by the
5 actuary as the board of trustees adopts, with regular interest.
- 6 k. "Present-entrant" means any member of the Teachers'
7 Pension and Annuity Fund who had established status as a "present-
8 entrant member" of said fund prior to January 1, 1956.
- 9 l. "Rate of contribution initially certified" means the rate of
10 contribution certified by the retirement system in accordance with
11 N.J.S.18A:66-29.
- 12 m. "Regular interest" shall mean interest as determined by the
13 State Treasurer, after consultation with the Directors of the
14 Divisions of Investment and Pensions, the board of trustees and the
15 actuary. It shall bear a reasonable relationship to the percentage rate
16 of earnings on investments based on the market value of assets but
17 shall not exceed the assumed percentage rate of increase applied to
18 salaries plus 3%, provided however that the board of trustees shall
19 not set the average percentage rate of increase applied to salaries
20 below 6%.
- 21 n. "Retirement allowance" means the pension plus the annuity.
- 22 o. "School service" means any service as a "teacher" as defined
23 in this section.
- 24 p. "Teacher" means any regular teacher, special teacher,
25 helping teacher, teacher clerk, principal, vice-principal, supervisor,
26 supervising principal, director, superintendent, city superintendent,
27 assistant city superintendent, county superintendent, State
28 Commissioner or Assistant Commissioner of Education, members
29 of the State Department of Education who are certificated,
30 unclassified professional staff and other members of the teaching or
31 professional staff of any class, public school, renaissance school
32 project established pursuant to P.L.2011, c.176 (C.18A:36C-
33 1 et seq.) upon commencement of employment, high school, normal
34 school, model school, training school, vocational school, truant
35 reformatory school, or parental school, and of any and all classes or
36 schools within the State conducted under the order and
37 superintendence, and wholly or partly at the expense of the State
38 Board of Education, of a duly elected or appointed board of
39 education, board of school directors, or board of trustees of the
40 State or of any school district or normal school district thereof, and
41 any persons under contract or engagement to perform one or more
42 of these functions. It shall also mean any person who serves, while
43 on an approved leave of absence from regular duties as a teacher, as
44 an officer of a local, county or State labor organization which
45 represents, or is affiliated with an organization which represents,
46 teachers as defined in this subsection. No person shall be deemed a
47 teacher within the meaning of this article who is a substitute

1 teacher. In all cases of doubt the board of trustees shall determine
2 whether any person is a teacher as defined in this article.

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

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

28 (1) The Indian wars and uprisings during any of the periods
29 recognized by the War Department of the United States as periods
30 of active hostility;

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

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

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

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

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

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

44 (8) The Mexican border patrol, having actually participated in
45 engagements against Mexicans between April 12, 1911, and June
46 16, 1919;

47 (9) World War I, between April 6, 1917, and November 11,
48 1918;

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

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

27 (12) Lebanon crisis, on or after July 1, 1958, who has served in
28 Lebanon or on board any ship actively engaged in patrolling the
29 territorial waters of that nation for a period, continuous or in the
30 aggregate, of at least 14 days commencing on or before November
31 1, 1958 or the date of termination of that conflict, as proclaimed by
32 the President of the United States or Congress, whichever date of
33 termination is the latest, in such active service; provided, that any
34 person receiving an actual service-incurred injury or disability shall
35 be classed as a veteran whether or not that person has completed the
36 14 days' service as herein provided;

37 (13) Vietnam conflict, on or after December 31, 1960, and on
38 or prior to May 7, 1975, who shall have served at least 90 days in
39 such active service, exclusive of any period of assignment (1) for a
40 course of education or training under the Army Specialized
41 Training Program or the Navy College Training Program, which
42 course was a continuation of a civilian course and was pursued to
43 completion, or (2) as a cadet or midshipman at one of the service
44 academies, any part of which 90 days was served between said
45 dates; and exclusive of any service performed pursuant to the
46 provisions of section 511(d) of Title 10, United States Code,
47 pursuant to an enlistment in the Army National Guard or as a
48 reserve for service in the Army Reserve, Naval Reserve, Air Force

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1 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided
2 that any person receiving an actual service-incurred injury or
3 disability shall be classed as a veteran, whether or not that person
4 has completed the 90-day service as herein provided;

5 (14) Lebanon peacekeeping mission, on or after September 26,
6 1982, who has served in Lebanon or on board any ship actively
7 engaged in patrolling the territorial waters of that nation for a
8 period, continuous or in the aggregate, of at least 14 days
9 commencing on or before December 1, 1987 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 (15) Grenada peacekeeping mission, on or after October 23,
17 1983, who has served in Grenada or on board any ship actively
18 engaged in patrolling the territorial waters of that nation for a
19 period, continuous or in the aggregate, of at least 14 days
20 commencing on or before November 21, 1983 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 (16) Panama peacekeeping mission, on or after December 20,
28 1989 or the date of inception of that mission, as proclaimed by the
29 President of the United States or Congress, whichever date of
30 inception is earliest, who has served in Panama or on board any ship
31 actively engaged in patrolling the territorial waters of that nation for
32 a period, continuous or in the aggregate, of at least 14 days
33 commencing on or before January 31, 1990 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 (17) Operation "Desert Shield/Desert Storm" mission in the
41 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
42 or the date of inception of that operation, as proclaimed by the
43 President of the United States or Congress, whichever date of
44 inception is earliest, who has served in the Arabian peninsula or on
45 board any ship actively engaged in patrolling the Persian Gulf for a
46 period, continuous or in the aggregate, of at least 14 days
47 commencing on or before the date of termination of that mission, as
48 proclaimed by the President of the United States or Congress,

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

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

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

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

41 (21) Operation "Enduring Freedom", on or after September 11,
42 2001, who served in a theater of operation and in direct support of
43 that operation for a period, continuously or in the aggregate, of at
44 least 14 days in such active service commencing on or before the
45 date the President of the United States or the United States
46 Secretary of Defense designates as the termination date of that
47 operation; provided, that any person receiving an actual service-
48 incurred injury or disability while engaged in such service shall be

1 classed as a veteran whether or not that person has completed the 14
2 days' service as herein provided; **[and]**

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

15 (23) Campaign or expedition for which a service badge, medal,
16 or ribbon has been authorized and awarded to the service member
17 for serving in support of military combat operations.

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

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

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

41 (2) Subject to the provisions of paragraph (3) of this subsection,
42 "widower," for employees of public employers other than the State,
43 means the man to whom a member was married at least five years
44 before the date of her death and to whom she continued to be
45 married until the date of her death and who was receiving at least
46 one-half of his support from the member in the 12-month period
47 immediately preceding the member's death or the accident which
48 was the direct cause of the member's death. The dependency of such

1 a widower shall be considered terminated by marriage of the
2 widower subsequent to the death of the member. In the event of the
3 payment of an accidental death benefit, the five-year qualification
4 shall be waived.

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

9 u. (1) "Widow," for employees of the State, means the woman
10 to whom a member was married, or a domestic partner as defined in
11 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
12 the date of his death and to whom he continued to be married or a
13 domestic partner until the date of his death and who was receiving
14 at least one-half of her support from the member in the 12-month
15 period immediately preceding the member's death or the accident
16 which was the direct cause of the member's death. The dependency
17 of such a widow will be considered terminated by the marriage of,
18 or establishment of a domestic partnership by, the widow
19 subsequent to the member's death. In the event of the payment of an
20 accidental death benefit, the five-year qualification shall be waived.

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

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

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

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

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

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

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

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

9

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

12 6. As used in this act:

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

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

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

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

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

33 f. "Parent" shall mean the parent of a member who was
34 receiving at least 1/2 of the parent's support from the member in the
35 12-month period immediately preceding the member's death or the
36 accident which was the direct cause of the member's death. The
37 dependency of such a parent will be considered terminated by
38 marriage of the parent subsequent to the death of the member.

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

1 to the death of the member. In the event of the payment of an
2 accidental death benefit, the five-year qualification shall be waived.

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

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

19 h. (1) "Final compensation" means the average annual
20 compensation for which contributions are made for the three years
21 of creditable service in New Jersey immediately preceding the
22 member's retirement or death, or it shall mean the average annual
23 compensation for New Jersey service for which contributions are
24 made during any three fiscal years of his or her membership
25 providing the largest possible benefit to the member or the
26 member's beneficiary.

27 (2) In the case of a person who becomes a member of the
28 retirement system on or after the effective date of P.L.2010, c.1,
29 "final compensation" means the average annual compensation for
30 which contributions are made for the five years of creditable service
31 in New Jersey immediately preceding the member's retirement or
32 death, or it shall mean the average annual compensation for New
33 Jersey service for which contributions are made during any five
34 fiscal years of his or her membership providing the largest possible
35 benefit to the member or the member's beneficiary.

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

38 j. "Medical board" shall mean the board of physicians
39 provided for in section 17 of P.L.1954, c.84 (C.43:15A-17).

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

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

47 m. "Public Employees' Retirement System of New Jersey,"
48 hereinafter referred to as the "retirement system" or "system," is the

1 corporate name of the arrangement for the payment of retirement
2 allowances and other benefits under the provisions of this act
3 including the several funds placed under said system. By that name
4 all of its business shall be transacted, its funds invested, warrants
5 for money drawn, and payments made and all of its cash and
6 securities and other property held.

7 n. "Regular interest" shall mean interest as determined by the
8 State Treasurer, after consultation with the Directors of the
9 Divisions of Investment and Pensions, the board of trustees and the
10 actuary. It shall bear a reasonable relationship to the percentage rate
11 of earnings on investments based on the market value of the assets
12 but shall not exceed the assumed percentage rate of increase applied
13 to salaries plus 3%, provided however that the board of trustees
14 shall not set the average percentage rate of increase applied to
15 salaries below 6%.

16 o. "Retirement allowance" means the pension plus the annuity.

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

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

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

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

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

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

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

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

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

6 (9) World War I, between April 6, 1917, and November 11,
7 1918;

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

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

34 (12) Lebanon crisis, on or after July 1, 1958, who has served in
35 Lebanon or on board any ship actively engaged in patrolling the
36 territorial waters of that nation for a period, continuous or in the
37 aggregate, of at least 14 days commencing on or before November
38 1, 1958 or the date of termination of that conflict, as proclaimed by
39 the President of the United States or Congress, whichever date of
40 termination is the latest, in such active service; provided, that any
41 person receiving an actual service-incurred injury or disability shall
42 be classed as a veteran whether or not that person has completed the
43 14 days' service as herein provided;

44 (13) Vietnam conflict on or after December 31, 1960, and on or
45 prior to May 7, 1975, who shall have served at least 90 days in such
46 active service, exclusive of any period of assignment (1) for a
47 course of education or training under the Army Specialized
48 Training Program or the Navy College Training Program which

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

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

23 (15) Grenada peacekeeping mission, on or after October 23,
24 1983, who has served in Grenada 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 November 21, 1983 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 (16) Panama peacekeeping mission, on or after December 20,
35 1989 or the date of inception of that mission, as proclaimed by the
36 President of the United States or Congress, whichever date of
37 inception is earliest, who has served in Panama or on board any ship
38 actively engaged in patrolling the territorial waters of that nation for
39 a period, continuous or in the aggregate, of at least 14 days
40 commencing on or before January 31, 1990 or the date of
41 termination of that mission, as proclaimed by the President of the
42 United States or Congress, whichever date of termination is the
43 latest, in such active service; provided, that any person receiving an
44 actual service-incurred injury or disability shall be classed as a
45 veteran whether or not that person has completed the 14 days'
46 service as herein provided;

47 (17) Operation "Desert Shield/Desert Storm" mission in the
48 Arabian peninsula and the Persian Gulf, on or after August 2, 1990

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

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

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

37 (20) Operations "Joint Endeavor" and "Joint Guard" in the
38 Republic of Bosnia and Herzegovina, on or after November 20,
39 1995, who served in such active service in direct support of one or
40 both of the operations for at least 14 days, continuously or in the
41 aggregate, commencing on or before June 20, 1998 and (1) was
42 deployed in that nation or in another area in the region, or (2) was
43 on board a United States naval vessel operating in the Adriatic Sea,
44 or (3) operated in airspace above the Republic of Bosnia and
45 Herzegovina; provided that any person receiving an actual service-
46 incurred injury or disability shall be classed as a veteran whether or
47 not that person completed the 14-day service requirement;

1 (21) Operation "Enduring Freedom", on or after September 11,
2 2001, who served in a theater of operation and in direct support of
3 that operation for a period, continuously or in the aggregate, of at
4 least 14 days in such active service commencing on or before the
5 date the President of the United States or the United States
6 Secretary of Defense designates as the termination date of that
7 operation; provided, that any person receiving an actual service-
8 incurred injury or disability while engaged in such service shall be
9 classed as a veteran whether or not that person has completed the 14
10 days' service as herein provided; **[and]**

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

23 (23) Campaign or expedition for which a service badge, medal,
24 or ribbon has been authorized and awarded to the service member
25 for serving in support of military combat operations.

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

30 q. (1) "Widow," for employees of the State, means the woman
31 to whom a member was married, or a domestic partner as defined in
32 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before
33 the date of his death and to whom he continued to be married or a
34 domestic partner until the date of his death and who was receiving
35 at least 1/2 of her support from the member in the 12-month period
36 immediately preceding the member's death or the accident which
37 was the direct cause of the member's death. The dependency of such
38 a widow will be considered terminated by the marriage of, or
39 establishment of a domestic partnership by, the widow subsequent
40 to the member's death. In the event of the payment of an accidental
41 death benefit, the five-year qualification shall be waived.

42 (2) Subject to the provisions of paragraph (3) of this subsection,
43 "widow," for employees of public employers other than the State,
44 means the woman to whom a member was married at least five
45 years before the date of his death and to whom he continued to be
46 married until the date of his death and who was receiving at least
47 1/2 of her support from the member in the 12-month period
48 immediately preceding the member's death or the accident which

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

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

10 r. (1) "Compensation" means the base or contractual salary,
11 for services as an employee, which is in accordance with
12 established salary policies of the member's employer for all
13 employees in the same position but shall not include individual
14 salary adjustments which are granted primarily in anticipation of
15 the member's retirement or additional remuneration for performing
16 temporary or extracurricular duties beyond the regular workday or
17 the regular work year.

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

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

41 For the period of July 1, 2009 through June 30, 2011,
42 "contractual salary" for State employees shall include across the
43 board negotiated wage increases under a collective negotiations
44 agreement that were payable to all State employees covered by that
45 agreement notwithstanding that, by amendment to that collective
46 negotiations agreement, the effective date of the contractual
47 increase has been deferred. For the purpose of this paragraph,
48 "State employee" means an employee in the Executive Branch or

1 the Judicial Branch of State government of New Jersey or an
2 employee of the State University authorized to participate in the
3 system under subsection b. of section 73 of P.L.1954, c.84
4 (C.43:15A-73), but shall not include employees of agencies
5 authorized to participate in the system under subsections a., c., d.,
6 e., f., and g. of section 73 of P.L.1954, c.84 (C.43:15A-73) or under
7 P.L.1990, c.25 (C.43:15A-73.2 et al.).

8 For the period of July 1, 2009 through June 30, 2011,
9 "contractual salary" for county and municipal employees shall
10 include across the board negotiated wage increases under a
11 collective negotiations agreement that were payable to all county or
12 all municipal employees covered by that agreement notwithstanding
13 that, by amendment to that collective negotiations agreement which
14 has been filed with the Division of Pensions and Benefits, the
15 effective date of the contractual increase has been deferred. For the
16 purpose of this paragraph, "county and municipal employees"
17 means all persons employed by a county or municipality in this
18 State.

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

20

21 4. 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, and who has
38 presented to the retirement system evidence of such record of
39 service in form and content satisfactory to said retirement system:

40 (1) The Indian wars and uprisings during any of the periods
41 recognized by the War Department of the United States as periods
42 of active hostility;

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

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

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

1 be classed as a veteran whether or not that person has completed the
2 14 days' service as herein provided;

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

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

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

41 (16) Panama peacekeeping mission, on or after December 20,
42 1989 or the date of inception of that mission, as proclaimed by the
43 President of the United States or Congress, whichever date of
44 inception is earliest, who has served in Panama or on board any ship
45 actively engaged in patrolling the territorial waters of that nation for
46 a period, continuous or in the aggregate, of at least 14 days
47 commencing on or before January 31, 1990 or the date of
48 termination of that mission, as proclaimed by the President of the

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

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

19 (18) Operation Northern Watch and Operation Southern Watch,
20 on or after August 27, 1992, or the date of inception of that
21 operation, as proclaimed by the President of the United States,
22 Congress or United States Secretary of Defense, whichever date of
23 inception is earliest, who served in the theater of operation,
24 including in the Arabian peninsula and the Persian Gulf, and in
25 direct support of that operation for a period, continuously or in the
26 aggregate, of at least 14 days in such active service, commencing on
27 or before the date of termination of that operation, as proclaimed by
28 the President of the United States, Congress or United States
29 Secretary of Defense, whichever date of termination is the latest;
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 (19) Operation "Restore Hope" in Somalia, on or after
35 December 5, 1992, or the date of inception of that operation as
36 proclaimed by the President of the United States or Congress,
37 whichever date is earliest, who has served in Somalia or on board
38 any ship actively engaged in patrolling the territorial waters of that
39 nation for a period, continuously or in the aggregate, of at least 14
40 days in such active service commencing on or before March 31,
41 1994; provided that any person receiving an actual service-incurred
42 injury or disability shall be classed as a veteran whether or not that
43 person has completed the 14-day service as herein provided;

44 (20) Operations "Joint Endeavor" and "Joint Guard" in the
45 Republic of Bosnia and Herzegovina, on or after November 20,
46 1995, who served in such active service in direct support of one or
47 both of the operations for at least 14 days, continuously or in the
48 aggregate, commencing on or before June 20, 1998, and (1) was

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

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

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

29 (23) Campaign or expedition for which a service badge, medal,
30 or ribbon has been authorized and awarded to the service member
31 for serving in support of military combat operations.

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

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

37

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

40 3. As used in this act:

41 a. "Aggregate contributions" means the sum of all the amounts,
42 deducted from the salary of a member or contributed by him or on
43 his behalf, standing to the credit of his individual account in the
44 Annuity Savings Fund. Interest credited on contributions to the
45 former "State Police Retirement and Benevolent Fund" shall be
46 included in a member's aggregate contributions.

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

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

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

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

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

25 g. "Creditable service" means service rendered for which credit
26 is allowed on the basis of contributions made by the member or the
27 State.

28 h. "Parent" means the parent of a member who was receiving at
29 least one-half of his support from the member in the 12-month
30 period immediately preceding the member's death or the accident
31 which was the direct cause of the member's death. The dependency
32 of such a parent will be considered terminated by marriage of the
33 parent subsequent to the death of the member.

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

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

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

1 (2) In the case of a person who becomes a member of the
2 retirement system on or after the effective date of P.L.2010, c.1,
3 "final salary" means the average annual salary for service for which
4 contributions are made during any three fiscal years of membership
5 providing the largest possible benefit to the member or the
6 member's beneficiary. Such term shall not include the value of the
7 member's maintenance allowance.

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

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

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

16 n. "Pension" means payment for life derived from contributions
17 by the State.

18 o. "Pension reserve" means the present value of all payments to
19 be made on account of any pension or benefit in lieu of any pension
20 computed on the basis of such mortality tables recommended by the
21 actuary as shall be adopted by the board of trustees and regular
22 interest.

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

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

34 r. "Retirement allowance" means the pension plus the annuity.

35 s. "State Police Retirement System of New Jersey," herein also
36 referred to as the "retirement system" or "system," is the corporate
37 name of the arrangement for the payment of retirement allowances
38 and of the benefits under the provisions of this act including the
39 several funds placed under said system. By that name, all of its
40 business shall be transacted, its funds invested, warrants for moneys
41 drawn, and payments made and all of its cash and securities and
42 other property held. All assets held in the name of the former
43 "State Police Retirement and Benevolent Fund" shall be transferred
44 to the retirement system established by this act.

45 t. "Surviving spouse" means the person to whom a member or
46 a retirant was married, or a domestic partner as defined in section 3
47 of P.L.2003, c.246 (C.26:8A-3), on the date of the death of the
48 member or retirant. The dependency of such a surviving spouse will

1 be considered terminated by the marriage of, or establishment of a
2 domestic partnership by, the surviving spouse subsequent to the
3 member's or the retirant's death, except that in the event of the
4 payment of accidental death benefits, pursuant to section 14 of
5 P.L.1965, c.89 (C.53:5A-14), the dependency of such a surviving
6 spouse or domestic partner will not be considered terminated by the
7 marriage of, or establishment of a domestic partnership by, the
8 surviving spouse subsequent to the member's death.

9 u. (1) "Compensation" for purposes of computing pension
10 contributions means the base salary, for services as a member as
11 defined in this act, which is in accordance with established salary
12 policies of the State for all employees in the same position but shall
13 not include individual salary adjustments which are granted
14 primarily in anticipation of the member's retirement or additional
15 remuneration for performing temporary duties beyond the regular
16 workday or shift.

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

28 v. "Veteran" means any person who has served in the United
29 States Armed Forces and has or shall be discharged or released
30 therefrom under conditions other than dishonorable, in any of the
31 following wars or emergencies, or campaigns or expeditions, and
32 who has presented to the retirement system evidence of such record
33 of service in form and content satisfactory to the retirement system:

34 (1) Vietnam conflict on or after December 31, 1960, and on or
35 prior to May 7, 1975, who shall have served at least 90 days in such
36 active service, exclusive of any period of assignment (1) for a
37 course of education or training under the Army Specialized
38 Training Program or the Navy College Training Program which
39 course was a continuation of a civilian course and was pursued to
40 completion, or (2) as a cadet or midshipman at one of the service
41 academies, any part of which 90 days was served between said
42 dates; and exclusive of any service performed pursuant to the
43 provisions of section 511 (d) of Title 10, United States Code,
44 pursuant to an enlistment in the Army National Guard or as a
45 reserve for service in the Army Reserve, Naval Reserve, Air Force
46 Reserve, Marine Corps Reserve, or Coast Guard Reserve; provided,
47 that any person receiving an actual service-incurred injury or

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1 disability shall be classed as a veteran whether or not that person
2 has completed the 90 days' service as herein provided;

3 (2) Lebanon peacekeeping mission, on or after September 26,
4 1982, who has served in Lebanon 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 December 1, 1987 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 (3) Grenada peacekeeping mission, on or after October 23,
15 1983, who has served in Grenada or on board any ship actively
16 engaged in patrolling the territorial waters of that nation for a
17 period, continuous or in the aggregate, of at least 14 days
18 commencing on or before November 21, 1983 or the date of
19 termination of that mission, as proclaimed by the President of the
20 United States or Congress, whichever date of termination is the
21 latest, in such active service; provided, that any person receiving an
22 actual service-incurred injury or disability shall be classed as a
23 veteran whether or not that person has completed the 14 days'
24 service as herein provided;

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

38 (5) Operation "Desert Shield/Desert Storm" mission in the
39 Arabian peninsula and the Persian Gulf, on or after August 2, 1990
40 or the date of inception of that operation, as proclaimed by the
41 President of the United States or Congress, whichever date of
42 inception is earliest, who has served in the Arabian peninsula or on
43 board any ship actively engaged in patrolling the Persian Gulf for a
44 period, continuous or in the aggregate, of at least 14 days
45 commencing on or before the date of termination of that mission, as
46 proclaimed by the President of the United States or Congress,
47 whichever date of termination is the latest, in such active service;
48 provided, that any person receiving an actual service-incurred injury

1 or disability shall be classed as a veteran whether or not that person
2 has completed the 14 days' service as herein provided;

3 (6) Operation Northern Watch and Operation Southern Watch,
4 on or after August 27, 1992, or the date of inception of that
5 operation, as proclaimed by the President of the United States,
6 Congress or United States Secretary of Defense, whichever date of
7 inception is earliest, who served in the theater of operation,
8 including in the Arabian peninsula and the Persian Gulf, and in
9 direct support of that operation for a period, continuously or in the
10 aggregate, of at least 14 days in such active service, commencing on
11 or before the date of termination of that operation, as proclaimed by
12 the President of the United States, Congress or United States
13 Secretary of Defense, whichever date of termination is the latest;
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;

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

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

39 (9) Operation "Enduring Freedom", on or after September 11,
40 2001, who served in a theater of operation and in direct support of
41 that operation for a period, continuously or in the aggregate, of at
42 least 14 days in such active service commencing on or before the
43 date the President of the United States or the United States
44 Secretary of Defense designates as the termination date of that
45 operation; provided, that any person receiving an actual service-
46 incurred injury or disability while engaged in such service shall be
47 classed as a veteran whether or not that person has completed the 14
48 days' service as herein provided; **[and]**

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

13 (11) Campaign or expedition for which a service badge, medal,
14 or ribbon has been authorized and awarded to the service member
15 for serving in support of military combat operations.

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

17

18 6. This act shall take effect immediately, but sections 1 and 5
19 shall remain inoperative until an authorizing State constitutional
20 amendment is approved by the voters.

21

22

23

STATEMENT

24

25 This bill extends certain veterans benefits to persons who served
26 in a campaign or expedition for which a service badge, medal, or
27 ribbon has been authorized and awarded to the service member for
28 serving in support of military combat operations.

29 The criteria for the badge, medal, or ribbon generally include,
30 but are not limited to, service where the combat is actually
31 occurring, service in areas supporting major combat operations,
32 service in military operations with active or potentially active
33 opposing hostile forces, and performance under enemy fire with a
34 risk of grave danger.

35 Under this bill, a veteran who received such a badge, medal, or
36 ribbon, but did not serve in a theater of operation or for the
37 specified period of time in a war or emergency, will be eligible for
38 various State benefits. The benefits are: (1) a civil service hiring
39 preference; (2) a veteran's retirement allowance under the Teachers'
40 Pension and Annuity Fund (TPAF) or the Public Employees'
41 Retirement System (PERS); and (3) the purchase of additional
42 military service credit in the Police and Firemen's Retirement
43 System or the State Police Retirement System, TPAF and PERS.

44 Eligibility for the civil service benefits are contingent upon voter
45 approval of an authorizing amendment to the State Constitution.