

# SENATE, No. 4280

## STATE OF NEW JERSEY

### 219th LEGISLATURE

INTRODUCED DECEMBER 16, 2021

**Sponsored by:**  
**Senator DECLAN J. O'SCANLON, JR.**  
**District 13 (Monmouth)**

**SYNOPSIS**

Extends eligibility for certain civil service and pension benefits for veterans.

**CURRENT VERSION OF TEXT**

As introduced.



1   **AN ACT** extending eligibility for certain civil service and pension  
2       benefits for veterans, and amending various parts of the statutory  
3       law.

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

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

9       11A:5-1. As used in this chapter:

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

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

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

**EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

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

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

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

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

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

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

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

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

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

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

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

13 (11) Operation "Restore Hope" in Somalia, on or after  
14 December 5, 1992, or the date of inception of that operation as  
15 proclaimed by the President of the United States or the Congress,  
16 whichever date is earliest, who has served in Somalia or on board  
17 any ship actively engaged in patrolling the territorial waters of that  
18 nation for a period, continuously or in the aggregate, of at least 14  
19 days in such active service commencing on or before March 31,  
20 1994; 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 14-day service as herein provided;

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

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

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

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

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

18 c. 【"War service" means service by a veteran in any war or  
19 conflict described in this chapter during the periods specified.】  
20 (Deleted by amendment, P.L. , c. ) (pending before the  
21 Legislature as this bill)  
22 (cf: P.L.2007, c.115, s.1)  
23

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

25 11A:5-3. Parent and spouse of veteran who has died in service.  
26 A parent and spouse of any veteran who died while in, and as a  
27 result of, federal active service and who would have qualified under  
28 this chapter as a veteran, shall be entitled to a disabled veterans'  
29 preference. Where both a parent and spouse survive, the exercise of  
30 the preference by one shall suspend the right of any other so long as  
31 the first individual who exercises preference remains in the employ  
32 of the State or any political subdivision operating under the  
33 provisions of this title.

34 (cf: N.J.S.11A:5-3)  
35

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

37 11A:5-11. A veteran with any physical disability caused by  
38 【wounds or injuries received in the line of duty in the military or  
39 naval forces of the United States during war service set forth in  
40 N.J.S.11A:5-1】 an injury, disease or disability incurred as a result  
41 of federal active service in any branch of the Armed Forces of the  
42 United States, a Reserve component thereof, or the New Jersey  
43 National Guard in a federal active duty status, shall not be  
44 discriminated against in an examination, classification or  
45 appointment because of the disability, unless this disability, in the  
46 opinion of the Civil Service Commission, would incapacitate the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 was a citizen of the United States at the time of such enlistment, and  
2 who did not, during or by reason of such service, renounce or lose  
3 United States citizenship, and any officer, soldier, sailor, marine,  
4 airman, nurse or army field clerk who has served in the active  
5 military or naval service of the United States and has or shall be  
6 member discharged or released **【therefrom】** under conditions other  
7 than dishonorable**【**, in any of the following wars, uprisings,  
8 insurrections, expeditions or emergencies**】** from active duty in the  
9 Armed Forces of the United States, a Reserve component thereof, or  
10 the New Jersey National Guard in a federal active duty status, and  
11 who has presented to the retirement system evidence of such record  
12 of service in form and content satisfactory to said retirement  
13 system**【**:

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

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

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

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

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

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

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

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

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

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

46 (11) Korean conflict on or after June 23, 1950, and on or prior  
47 to January 31, 1955, who shall have served at least 90 days in such

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

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

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

40 (14) Lebanon peacekeeping mission, on or after September 26,  
41 1982, who has served in Lebanon or on board any ship actively  
42 engaged in patrolling the territorial waters of that nation for a  
43 period, continuous or in the aggregate, of at least 14 days  
44 commencing on or before December 1, 1987 or the date of  
45 termination of that mission, as proclaimed by the President of the  
46 United States or Congress, whichever date of termination is the  
47 latest, in such active service; provided, that any person receiving an  
48 actual service-incurred injury or disability shall be classed as a

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

3 (15) Grenada peacekeeping mission, on or after October 23,  
4 1983, who has served in Grenada or on board any ship actively  
5 engaged in patrolling the territorial waters of that nation for a  
6 period, continuous or in the aggregate, of at least 14 days  
7 commencing on or before November 21, 1983 or the date of  
8 termination of that mission, as proclaimed by the President of the  
9 United States or Congress, whichever date of termination is the  
10 latest, in such active service; provided, that any person receiving an  
11 actual service-incurred injury or disability shall be classed as a  
12 veteran whether or not that person has completed the 14 days'  
13 service as herein provided;

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

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

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

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

7 (19) Operation "Restore Hope" in Somalia, on or after  
8 December 5, 1992, or the date of inception of that operation as  
9 proclaimed by the President of the United States or 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 (20) Operations "Joint Endeavor" and "Joint Guard" in the  
18 Republic of Bosnia and Herzegovina, on or after November 20,  
19 1995, who served in such active service in direct support of one or  
20 both of the operations for at least 14 days, continuously or in the  
21 aggregate, commencing on or before June 20, 1998, and (1) was  
22 deployed in that nation or in another area in the region, or (2) was  
23 on board a United States naval vessel operating in the Adriatic Sea,  
24 or (3) operated in airspace above the Republic of Bosnia and  
25 Herzegovina; provided that any person receiving an actual service-  
26 incurred injury or disability shall be classed as a veteran whether or  
27 not that person completed the 14-day service requirement;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

41

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

44 6. As used in this act:

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

- 1       b. "Annuity" means payments for life derived from the  
2 accumulated deductions of a member as provided in this act.
- 3       c. "Annuity reserve" means the present value of all payments  
4 to be made on account of any annuity or benefit in lieu of an  
5 annuity, granted under the provisions of this act, computed on the  
6 basis of such mortality tables recommended by the actuary as the  
7 board of trustees adopts, with regular interest.
- 8       d. "Beneficiary" means any person receiving a retirement  
9 allowance or other benefit as provided in this act.
- 10      e. "Child" means a deceased member's unmarried child either  
11 (1) under the age of 18 or (2) of any age who, at the time of the  
12 member's death, is disabled because of an intellectual disability or  
13 physical incapacity, is unable to do any substantial, gainful work  
14 because of the impairment and the impairment has lasted or can be  
15 expected to last for a continuous period of not less than 12 months,  
16 as affirmed by the medical board.
- 17      f. "Parent" shall mean the parent of a member who was  
18 receiving at least 1/2 of the parent's support from the member in the  
19 12-month period immediately preceding the member's death or the  
20 accident which was the direct cause of the member's death. The  
21 dependency of such a parent will be considered terminated by  
22 marriage of the parent subsequent to the death of the member.
- 23      g. (1) "Widower," for employees of the State, means the man  
24 to whom a member was married, or a domestic partner as defined in  
25 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before  
26 the date of her death and to whom she continued to be married or a  
27 domestic partner until the date of her death and who was receiving  
28 at least 1/2 of his support from the member in the 12-month period  
29 immediately preceding the member's death or the accident which  
30 was the direct cause of the member's death. The dependency of such  
31 a widower will be considered terminated by marriage of, or  
32 establishment of a domestic partnership by, the widower subsequent  
33 to the death of the member. In the event of the payment of an  
34 accidental death benefit, the five-year qualification shall be waived.
- 35      (2) Subject to the provisions of paragraph (3) of this subsection,  
36 "widower," for employees of public employers other than the State,  
37 means the man to whom a member was married at least five years  
38 before the date of her death and to whom she continued to be  
39 married until the date of her death and who was receiving at least  
40 1/2 of his support from the member in the 12-month period  
41 immediately preceding the member's death or the accident which  
42 was the direct cause of the member's death. The dependency of such  
43 a widower shall be considered terminated by marriage of the  
44 widower subsequent to the death of the member. In the event of the  
45 payment of an accidental death benefit, the five-year qualification  
46 shall be waived.
- 47      (3) A public employer other than the State may adopt a  
48 resolution providing that the term "widower" as defined in

1 paragraph (2) of this subsection shall include domestic partners as  
2 provided in paragraph (1) of this subsection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37 (8) The Mexican border patrol, having actually participated in  
38 engagements against Mexicans between April 12, 1911, and June  
39 16, 1919;

40 (9) World War I, between April 6, 1917, and November 11,  
41 1918;

42 (10) World War II, between September 16, 1940, and  
43 December 31, 1946, who shall have served at least 90 days in such  
44 active service, exclusive of any period of assignment (1) for a  
45 course of education or training under the Army Specialized  
46 Training Program or the Navy College Training Program which  
47 course was a continuation of a civilian course and was pursued to

1 completion, or (2) as a cadet or midshipman at one of the service  
2 academies any part of which 90 days was served between said  
3 dates; provided, that any person receiving an actual service-incurred  
4 injury or disability shall be classed as a veteran whether or not that  
5 person has completed the 90-day service as herein provided;

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

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

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

47 (14) Lebanon peacekeeping mission, on or after September 26,  
48 1982, who has served in Lebanon or on board any ship actively

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

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

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

47 (18) Operation Northern Watch and Operation Southern Watch,  
48 on or after August 27, 1992, or the date of inception of that

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

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

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

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

45 (22) Operation "Iraqi Freedom", on or after the date the  
46 President of the United States or the United States Secretary of  
47 Defense designates as the inception date of that operation, who  
48 served in Iraq or in another area in the region in direct support of

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

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

13 q. (1) "Widow," for employees of the State, means the woman  
14 to whom a member was married, or a domestic partner as defined in  
15 section 3 of P.L.2003, c.246 (C.26:8A-3), at least five years before  
16 the date of his death and to whom he continued to be married or a  
17 domestic partner until the date of his death and who was receiving  
18 at least 1/2 of her support from the member in the 12-month period  
19 immediately preceding the member's death or the accident which  
20 was the direct cause of the member's death. The dependency of such  
21 a widow will be considered terminated by the marriage of, or  
22 establishment of a domestic partnership by, the widow subsequent  
23 to the member's death. In the event of the payment of an accidental  
24 death benefit, the five-year qualification shall be waived.

25 (2) Subject to the provisions of paragraph (3) of this subsection,  
26 "widow," for employees of public employers other than the State,  
27 means the woman to whom a member was married at least five  
28 years before the date of his death and to whom he continued to be  
29 married until the date of his death and who was receiving at least  
30 1/2 of her support from the member in the 12-month period  
31 immediately preceding the member's death or the accident which  
32 was the direct cause of the member's death. The dependency of such  
33 a widow shall be considered terminated by the marriage of the  
34 widow subsequent to the member's death. In the event of the  
35 payment of an accidental death benefit, the five-year qualification  
36 shall be waived.

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

41 r. (1) "Compensation" means the base or contractual salary,  
42 for services as an employee, which is in accordance with  
43 established salary policies of the member's employer for all  
44 employees in the same position but shall not include individual  
45 salary adjustments which are granted primarily in anticipation of  
46 the member's retirement or additional remuneration for performing  
47 temporary or extracurricular duties beyond the regular workday or  
48 the regular work year.

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

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

24       For the period of July 1, 2009 through June 30, 2011,  
25 "contractual salary" for State employees shall include across the  
26 board negotiated wage increases under a collective negotiations  
27 agreement that were payable to all State employees covered by that  
28 agreement notwithstanding that, by amendment to that collective  
29 negotiations agreement, the effective date of the contractual  
30 increase has been deferred. For the purpose of this paragraph,  
31 "State employee" means an employee in the Executive Branch or  
32 the Judicial Branch of State government of New Jersey or an  
33 employee of the State University authorized to participate in the  
34 system under subsection b. of section 73 of P.L.1954, c.84  
35 (C.43:15A-73), but shall not include employees of agencies  
36 authorized to participate in the system under subsections a., c., d.,  
37 e., f., and g. of section 73 of P.L.1954, c.84 (C.43:15A-73) or under  
38 P.L.1990, c.25 (C.43:15A-73.2 et al.).

39       For the period of July 1, 2009 through June 30, 2011,  
40 "contractual salary" for county and municipal employees shall  
41 include across the board negotiated wage increases under a  
42 collective negotiations agreement that were payable to all county or  
43 all municipal employees covered by that agreement notwithstanding  
44 that, by amendment to that collective negotiations agreement which  
45 has been filed with the Division of Pensions and Benefits, the  
46 effective date of the contractual increase has been deferred. For the  
47 purpose of this paragraph, "county and municipal employees"

1 means all persons employed by a county or municipality in this  
2 State.

3 (cf: P.L.2010, c.50, s.71)  
4

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

7 1. For purposes of this act "veteran" means any [honorably  
8 discharged officer, soldier, sailor, airman, marine or nurse who  
9 served in any Army, Air Force or Navy of the Allies of the United  
10 States in World War I, between July 14, 1914, and November 11,  
11 1918, or who served in any Army, Air Force or Navy of the Allies  
12 of the United States in World War II, between September 1, 1939,  
13 and September 2, 1945, and who was inducted into such service  
14 through voluntary enlistment, and was a citizen of the United States  
15 at the time of such enlistment, and who did not, during or by reason  
16 of such service, renounce or lose United States citizenship, and any  
17 officer, soldier, sailor, marine, airman, nurse or army field clerk,  
18 who has served in the active military or naval service of the United  
19 States and has or shall be] member discharged or released  
20 [therefrom] under conditions other than dishonorable[, in any of  
21 the following wars, uprisings, insurrections, expeditions, or  
22 emergencies] from active duty in the Armed Forces of the United  
23 States, a Reserve component thereof, or the New Jersey National  
24 Guard in a federal active duty status, and who has presented to the  
25 retirement system evidence of such record of service in form and  
26 content satisfactory to said retirement system[:

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

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

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

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

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

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

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

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

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

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 subparagraph prior to August 1, 1966, shall continue to be  
25 classed as a veteran whether or not the member completed the 90-  
26 day 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 or  
38 prior to May 7, 1975, who shall have served at least 90 days in such  
39 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

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 days' 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 that operation, as proclaimed by  
14  the President of the United States, Congress or United States  
15  Secretary of Defense, whichever date of termination is the 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.

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

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

20

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

23 3. As used in this act:

24 a. "Aggregate contributions" means the sum of all the amounts,  
25 deducted from the salary of a member or contributed by him or on  
26 his behalf, standing to the credit of his individual account in the  
27 Annuity Savings Fund. Interest credited on contributions to the  
28 former "State Police Retirement and Benevolent Fund" shall be  
29 included in a member's aggregate contributions.

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

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

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

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

42 f. "Child" means a deceased member's or retirant's unmarried  
43 child either (a) under the age of 18, or (b) 18 years of age or older  
44 and enrolled in a secondary school, or (c) under the age of 24 and  
45 enrolled in a degree program in an institution of higher education  
46 for at least 12 credit hours in each semester, provided that the  
47 member died in active service as a result of an accident met in the  
48 actual performance of duty at some definite time and place, and the

1 death was not the result of the member's willful misconduct, or (d)  
2 of any age who, at the time of the member's or retirant's death, is  
3 disabled because of an intellectual disability or physical incapacity,  
4 is unable to do any substantial, gainful work because of the  
5 impairment and his impairment has lasted or can be expected to last  
6 for a continuous period of not less than 12 months, as affirmed by  
7 the medical board.

8 g. "Creditable service" means service rendered for which credit  
9 is allowed on the basis of contributions made by the member or the  
10 State.

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

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

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

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

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

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

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

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

47 n. "Pension" means payment for life derived from contributions  
48 by the State.

- 1       o. "Pension reserve" means the present value of all payments to  
2 be made on account of any pension or benefit in lieu of any pension  
3 computed on the basis of such mortality tables recommended by the  
4 actuary as shall be adopted by the board of trustees and regular  
5 interest.
- 6       p. "Regular interest" means interest as determined by the State  
7 Treasurer, after consultation with the Directors of the Divisions of  
8 Investment and Pensions, the board of trustees and the actuary. It  
9 shall bear a reasonable relationship to the percentage rate of  
10 earnings on investments based on the market value of the assets but  
11 shall not exceed the assumed percentage rate of increase applied to  
12 salaries plus 3~~[%]~~ percent, provided however that the board of  
13 trustees shall not set the average percentage rate of increase applied  
14 to salaries below 6~~[%]~~ percent.
- 15       q. "Retirant" means any former member receiving a retirement  
16 allowance as provided by this act.
- 17       r. "Retirement allowance" means the pension plus the annuity.
- 18       s. "State Police Retirement System of New Jersey," herein also  
19 referred to as the "retirement system" or "system," is the corporate  
20 name of the arrangement for the payment of retirement allowances  
21 and of the benefits under the provisions of this act including the  
22 several funds placed under said system. By that name, all of its  
23 business shall be transacted, its funds invested, warrants for moneys  
24 drawn, and payments made and all of its cash and securities and  
25 other property held. All assets held in the name of the former "State  
26 Police Retirement and Benevolent Fund" shall be transferred to the  
27 retirement system established by this act.
- 28       t. "Surviving spouse" means the person to whom a member or  
29 a retirant was married, or a domestic partner as defined in section 3  
30 of P.L.2003, c.246 (C.26:8A-3), on the date of the death of the  
31 member or retirant. The dependency of such a surviving spouse will  
32 be considered terminated by the marriage of, or establishment of a  
33 domestic partnership by, the surviving spouse subsequent to the  
34 member's or the retirant's death, except that in the event of the  
35 payment of accidental death benefits, pursuant to section 14 of  
36 P.L.1965, c.89 (C.53:5A-14), the dependency of such a surviving  
37 spouse or domestic partner will not be considered terminated by the  
38 marriage of, or establishment of a domestic partnership by, the  
39 surviving spouse subsequent to the member's death.
- 40       u. (1) "Compensation" for purposes of computing pension  
41 contributions means the base salary, for services as a member as  
42 defined in this act, which is in accordance with established salary  
43 policies of the State for all employees in the same position but shall  
44 not include individual salary adjustments which are granted  
45 primarily in anticipation of the member's retirement or additional  
46 remuneration for performing temporary duties beyond the regular  
47 workday or shift.

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 "compensation" means the amount of base salary equivalent to the  
4 annual maximum wage contribution base for Social Security,  
5 pursuant to the Federal Insurance Contributions Act, for services as  
6 a member as defined in this act, which is in accordance with  
7 established salary policies of the State for all employees in the same  
8 position but shall not include individual salary adjustments which  
9 are granted primarily in anticipation of the member's retirement or  
10 additional remuneration for performing temporary duties beyond  
11 the regular workday or shift.

12 v. "Veteran" means any [person who has served in the United  
13 States Armed Forces and has or shall be] member discharged or  
14 released [therefrom] under conditions other than dishonorable[, in  
15 any of the following wars or emergencies] from active duty in the  
16 Armed Forces of the United States, a Reserve component thereof, or  
17 the New Jersey National Guard in a federal active duty status, and  
18 who has presented to the retirement system evidence of such record  
19 of service in form and content satisfactory to the retirement  
20 system[:

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

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

1 (3) Grenada peacekeeping mission, on or after October 23,  
2 1983, who has served in Grenada or on board any ship actively  
3 engaged in patrolling the territorial waters of that nation for a  
4 period, continuous or in the aggregate, of at least 14 days  
5 commencing on or before November 21, 1983 or the date of  
6 termination of that mission, as proclaimed by the President of the  
7 United States or Congress, whichever date of termination is the  
8 latest, in such active service; provided, that any person receiving an  
9 actual service-incurred injury or disability shall be classed as a  
10 veteran whether or not that person has completed the 14 days'  
11 service as herein provided;

12 (4) Panama peacekeeping mission, on or after December 20,  
13 1989 or the date of inception of that mission, as proclaimed by the  
14 President of the United States or Congress, whichever date of  
15 inception is earliest, who has served in Panama or on board any ship  
16 actively engaged in patrolling the territorial waters of that nation for  
17 a period, continuous or in the aggregate, of at least 14 days  
18 commencing on or before January 31, 1990 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 (5) Operation "Desert Shield/Desert Storm" mission in the  
26 Arabian peninsula and the Persian Gulf, on or after August 2, 1990  
27 or the date of inception of that operation, as proclaimed by the  
28 President of the United States or Congress, whichever date of  
29 inception is earliest, who has served in the Arabian peninsula or on  
30 board any ship actively engaged in patrolling the Persian Gulf for a  
31 period, continuous or in the aggregate, of at least 14 days  
32 commencing on or before the date of termination of that mission, as  
33 proclaimed by the President of the United States or Congress,  
34 whichever date of termination is the latest, in such active service;  
35 provided, that any person receiving an actual service-incurred injury  
36 or disability shall be classed as a veteran whether or not that person  
37 has completed the 14 days' service as herein provided;

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

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

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

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

26 (9) Operation "Enduring Freedom", on or after September 11,  
27 2001, who served in a theater of operation and in direct support of  
28 that operation for a period, continuously or in the aggregate, of at  
29 least 14 days in such active service commencing on or before the  
30 date the President of the United States or the United States  
31 Secretary of Defense designates as the termination date of that  
32 operation; provided, that any person receiving an actual service-  
33 incurred injury or disability while engaged in such service shall be  
34 classed as a veteran whether or not that person has completed the 14  
35 days' service as herein provided; and

36 (10) Operation "Iraqi Freedom", on or after the date the  
37 President of the United States or the United States Secretary of  
38 Defense designates as the inception date of that operation, who  
39 served in Iraq or in another area in the region 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】.

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

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

6  
7  
8                               STATEMENT

9  
10       Under current law, to be considered a veteran and eligible for  
11 certain State civil service preference benefits and pension benefits  
12 as a public employee, a person must have served during specific  
13 dates or in specific locations.

14       This bill changes the definition of veteran and removes the  
15 requirement of service during specified dates or in specified  
16 locations for the civil service preference benefits and the pension  
17 provisions of the Teachers' Pension and Annuity Fund (TPAF), the  
18 Public Employees' Retirement System (PERS), the Police and  
19 Firemen's Retirement System (PFRS), and the State Police  
20 Retirement System (SPRS).

21       Under this bill, a veteran will be defined as any resident of this  
22 State released under other than dishonorable conditions from active  
23 duty in the Armed Forces of the United States, a Reserve  
24 component thereof, or the New Jersey National Guard in a federal  
25 active duty status.

26       Today's modern military requires the essential services of all  
27 military and Reserve personnel, regardless of location or duty  
28 assignment, to fulfill the military's mission in time of war or peace.  
29 The purpose of this bill is to recognize that all military personnel,  
30 regardless of their location or assigned duties serve our nation.  
31 Military personnel who served domestically, including responders  
32 to 9-11, served our nation and should be considered veterans for  
33 pension and civil service purposes.