

**Pension and Health Benefits Review Commission Vote Results  
September 20, 2013**

**S-2943 (Rice)**

Increases pension benefits for certain retirees in certain municipal retirement systems.

**Motion:** Recommend not to enact.

**Discussion:** This bill is intended to impact the Employees Retirement System of the City of Newark (NERS). The Commission recommended not to enact this bill because: 1) As drafted, it applies to a city with a population greater than 400,000, and Newark's population is currently less than 400,000; 2) It does not identify the number of employees who are members of the now-closed NERS and who are eligible for the legislation's benefit enhancement; 3) It does not identify the financial impact on the NERS funding, including unfunded liabilities; 4) It does not identify the total cost of the legislation's benefit enhancement, including costs incurred by future disability retirements and other employee actions; 5) It does not provide the need for the State Division of Local Government Services to approve of the Newark expenditure to pay for the unfunded liability created by the legislation's benefit enhancement, and; 6) It does not address the cost to enhance PERS when PERS members seek to match the NERS enhancement that will result in higher benefits than PERS.

**A-272 (Amodeo/Brown)**

Makes certain State and local appointed public officials ineligible, retroactive to July 1, 2007, for PERS membership regardless of prior PERS membership.

**Motion:** Recommend not to enact.

**Discussion:** The recommendation not to enact this bill was rendered because: 1) It affects PERS members who were already in PERS prior to any reforms that started in 2007, and would retroactively eliminate a benefit for those relying on it; 2) It seeks to expand upon P.L.2010 c.1 that restricts such members from getting a pension "boost" through an appointed position after that bill's enactment, so this potential for boosting will eventually be eliminated for PERS members, and; 3) It does not identify DCRP compensation adequate to match the benefit being eliminated in PERS.

**A-274 (Amodeo)**

Eliminates PERS credit and health care benefits for appointees to State or local agency, board, commission, authority or instrumentality with annual compensation less than \$20,000 and weekly hours fewer than 35.

**Motion:** Recommend not to enact.

**Discussion:** The Commission recommended not to enact this bill because it would be unconstitutional as to the impairment of contractual obligations pursuant to the 2006 Attorney General and Office of Legislative Services legal opinions.

**A-1927 (Casagrande)**

Imposes new criteria of \$18,000 compensation and 30 hours weekly for TPAF and PERS membership as well as for TPAF and PERS credit.

**Motion:** Recommend not to enact.

**Discussion:** The Commission recommended not to enact this bill because P.L.2010, c.1 has already established a full time requirement for PERS and TPAF pension eligibility.

**A-2214 (Gusciora)**

Requires dental benefits coverage for dental composite restorations.

**Motion:** Recommend not to enact.

**Discussion:** The Commission recommended not to enact this bill because: 1) It will result in increased employer costs without any ascertainable increased benefit; 2) It usurps the authority of the health benefit plan design committees, and; 3) It continues the questionable practice of mandating health benefit coverage.