

STATE OF NEW JERSEY

INTRODUCED JANUARY 21, 1952

By Mr. YOUNG

Referred to Committee on Judiciary

AN ACT to authorize the payment of pensions, to dependents of persons presumed to be dead in certain cases, by the trustees of certain pension or retirement systems or funds.

1 BE IT ENACTED by the Senate and General Assembly of the State of New
2 Jersey:

1 1. In case any person holding office, position or employment in the service
2 of the State, and being a member, in good standing, of any pension or retire-
3 ment system or fund to which the State is a contributor, shall be absent
4 from the place of his last known residence for a period of not less than two
5 months, under circumstances indicating that he died by reason of an accident
6 which occurred in the actual performance of the duties of his office, position
7 or employment and that the natural and proximate cause of his death was
8 the performance of his said duty, and such as would entitle any dependent or
9 dependents of such person to a pension from said pension or retirement sys-
10 tem or fund if he were actually dead, and the head of the principal depart-
11 ment of the State Government, under which such person held such office,
12 position or employment, upon proof submitted to him or from other informa-
13 tion, is satisfied that said person may reasonably be presumed to have died
14 at a certain place on a certain day in the manner and for the causes herein-

15 before described, he shall issue his certificate accordingly, stating the date,
16 the circumstances and place of said presumed death and thereupon such per-
17 son shall be presumed to be dead as of the time so certified for the purposes
18 of this act.

1 2. The board of trustees of any such pension or retirement system or
2 fund shall, after the receipt of such certificate, make payment of any pension
3 which would have been payable to the dependent or dependents of such per-
4 son, if proof of his actual death were submitted to such trustees, from the
5 time so certified as the date upon which such person's death is presumed to
6 have occurred until such time as proof shall be made to them that such per-
7 son was or is actually alive or is actually dead, or as a certified copy of a
8 declaration of the death of such person made by a court of competent juris-
9 diction of this State, shall be filed with them and said board of trustees shall
10 be fully discharged and saved harmless from any and all liability for pay-
11 ment or repayment of any sum so paid in event that the said person shall be
12 proved to be or to have been alive at the time when any such payment was
13 made.

1 3. If, thereafter, it shall be proved that the said person was alive at any
2 time when any sums were paid by way of pension to dependent or dependents
3 of any person so presumed to be dead, pursuant to this act, the said board of
4 trustees shall include the amount of such payment or payments made during
5 the time when such person was alive, in its itemized statement of budget re-
6 quest or requests for appropriations for the next succeeding fiscal year and
7 the Legislature shall make an additional appropriation sufficient to repay
8 such amount or amounts to said retirement system or fund and the sums so
9 appropriated shall be applied and used accordingly.

1 4. This act shall take effect immediately.

[OFFICIAL COPY REPRINT]

SENATE, No. 51

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ASSEMBLY COMMITTEE AMENDMENT TO

SENATE, No. 51

STATE OF NEW JERSEY

ADOPTED MARCH 21, 1952

Amend page 1, section 1, line 3, after "contributor," insert "has been or".

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9 appropriated shall be applied and used accordingly.

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NOTATIONS

S 37 Caffero Jan. 21—Increases compensation of election district board members, in counties not using voting machines, from \$25 to \$30 for primary, general or special election services, from \$2 to \$7.50 for primary, and from \$3 to \$7.50 for general, election mailing services.

Jan. 21—Elections Com.
Feb. 4—Reported.
Feb. 4—Read second time.
Feb. 4—Recommitted.
Feb. 11—Reported with com. amend's.
Feb. 11—Read second time.
Mar. 10—Passed in Senate, amended.
Mar. 17—Received in Assembly.
Mar. 17—Elections Com.
Mar. 21—Transferred to Judiciary Com.
Mar. 24—Reported.
Mar. 24—Read second time.
Mar. 31—Passed in Assembly.
Apr. 22—Approved, Chapter 97.

S 38 Wallace Jan. 21—Prohibits deduction from employee's wages, by employer or prospective employer, for cost of medical examination requested or directed by employer; provides \$100 penalty.

Jan. 21—Labor, Ind. & Soc. Welf. Com.
Mar. 28—Reported with com. amend's.
Mar. 28—Read second time.
Mar. 31—Passed in Senate, amended.
Mar. 31—Received in Assembly.
Mar. 31—Labor and Ind. Com.
Apr. 4—Trans. to Appropriations Com.
Apr. 4—Reported.
Apr. 4—Read second time.
Apr. 4—Placed on third reading under emergency resolution.
Apr. 4—Passed in Assembly.
May 8—Approved, Chapter 147.

S 39 Littell Jan. 21—Requires inclusion without examination by Civil Service Commission, into State classified service, all temporary employees, classified as veterans, of the Division of Veterans' Services, Department of Conservation and Economic Development, created pursuant to C. 85, Laws of 1944, who were so employed prior to December 31, 1951.

Mar. 21—Passed in Senate.
Mar. 31—Passed in Assembly.
May 27—Vetoed by the Governor.

S 40 Littell Mar. 10—Regulates practice of physical therapy; requires that practitioners obtain licenses, and prescribes qualifications, fees, and scope of examination.

Mar. 10—Public Health Com.

S 41 Summerill Jan. 21—Freezes the effect of the 1950 Federal census upon county and municipal offices, salaries, vacancies and pensions until January 1, 1953.

Feb. 4—Passed in Senate.
Feb. 11—Passed in Assembly.
Feb. 11—Approved, Chapter 1.

S 42 Young and Littell Jan. 21—Provides for regulation of power vessels and boat motors operated in other than tidal waters by Department of Conservation and Economic Development; requires their registration and licensing, and licensing of operators thereof; prescribes schedules of fees, qualifications, and penalties for violations; repeals R.S. 12:7.

Jan. 21—Commerce and Navigation Com.
Mar. 17—Reported.
Mar. 17—Read second time.
Mar. 19—Recommitted.
Mar. 19—Reported with com. amend's.
Mar. 19—Read second time.
Mar. 21—Recommitted.
Mar. 21—Reported with com. amend's.
Mar. 21—Read second time.
Mar. 26—Recommitted.
Mar. 26—Reported with com. amend's.
Mar. 26—Read second time.
Mar. 28—Passed in Senate, amended.
Mar. 28—Received in Assembly.
Mar. 28—Commerce & Navigation Com.
Apr. 4—Reported.
Apr. 4—Read second time.

S 43 McCay Jan. 21—Increases by \$2,000,000 the mandatory dedication in State budget for county road and bridge maintenance and operation.

Jan. 21—State Gov. Reorganization Com.

S 44 McCay Jan. 21—Supplements 1951 Appropriations law by appropriating \$2,000,000 to the Highway Department for the construction, repair, maintenance, operation, lighting and policing of county roads and bridges.

Jan. 21—Appropriations Com.

NOTATIONS

S 45 McCay Jan. 28—Establishes voluntary classification, under State Employees Retirement System, permitting any such employee to retire on half pay, at age 55, after 30 years service, after payment of increased amount of salary deduction necessary to buy such retirement.

Jan. 28—Judiciary Com.

S 46 Hand Jan. 21—Requires district boards of elections to post only one sample ballot in each district instead of six as heretofore.

Jan. 21—Elections Com.
Mar. 19—Reported with com. amend's.
Mar. 19—Read second time.
Mar. 21—Passed in Senate, amended.
Note: Amended to 3 instead of 1.
Mar. 21—Received in Assembly.
Mar. 21—Elections Com.
Mar. 26—Reported.
Mar. 26—Read second time.
Mar. 31—Passed in Assembly.
Apr. 23—Approved, Chapter 61.

S 47 Hand Jan. 21—Eliminates requirement that election district board members execute pay vouchers before a person authorized to take oaths; prescribes new declaration form; constitutes false declaration a misdemeanor.

Mar. 17—Passed in Senate.
Mar. 31—Passed in Assembly.
Apr. 23—Approved, Chapter 62.

S 48 Clapp, Wallace, Summerill Jan. 21—Establishes the State Administrative Procedure Act to regulate procedure in certain specified State administrative agencies, directs Secretary of State to compile and publish the administrative code.

Jan. 21—Judiciary Com.
Feb. 11—Reported with com. amend's.
Feb. 11—Read second time.
Mar. 19—Recommitted.
Mar. 19—Reported with com. amend's.
Mar. 19—Read second time.
Mar. 24—Recommitted.
Mar. 24—Reported with com. amend's.
Mar. 24—Read second time.
Mar. 26—Passed in Senate, amended.
Mar. 26—Received in Assembly.
Mar. 26—Judiciary Com.
Mar. 26—Reported.
Mar. 26—Read second time.

S 49 Clapp Jan. 21—Permits taxpayer to file valid appeal from 1951 assessment to County Board of Taxation within 30 days after effective date of this act, where taxpayer did not receive tax bill showing an increased valuation until after August 15, 1951, and where such taxpayer filed or attempted to file an appeal therefrom before October 1, 1951.

Feb. 11—Passed in Senate.
Mar. 17—Passed in Assembly.
May 17—Approved, Chapter 214.

S 50 Clapp Jan. 21—Permits appointment of a resident, not an attorney of this state, as municipal court magistrate, where such person has had actual experience as magistrate, recorder, police judge or justice of the peace, notwithstanding appointment after January 1, 1952.

Feb. 11—Passed in Senate.
Apr. 2—Passed in Assembly.
May 27—Vetoed by the Governor.

S 51 Young Jan. 21—Permits payment of pension, by trustees of any retirement or pension fund, to dependents of any State employee, where said employee has been absent 2 months under circumstances indicating death occurred during performance of his duties.

Jan. 21—Judiciary Com.
Jan. 28—Reported.
Jan. 28—Read second time.
Feb. 4—Passed in Senate.
Feb. 11—Received in Assembly.
Feb. 11—Judiciary Com.
Mar. 21—Reported with com. amend's.
Mar. 21—Read second time.
Mar. 31—Passed in Assembly, amended.
Mar. 31—Assemb. amend. read in Sen.
Mar. 31—No Reference.
Mar. 31—Read second time.
Apr. 2—Assemb. amend. passed in Sen.
May 17—Approved, Chapter 215.