

CHAPTER 85 LAWS OF N. J. 19 73

APPROVED 4-24-73

**SENATE, No. 1003**

**STATE OF NEW JERSEY**

INTRODUCED MAY 8, 1972

By Senators GIULIANO, WALLWORK and SCHIAFFO

Referred to Committee on Education

AN ACT to amend "An act concerning medical and dental education and revising and repealing parts of the statutory law," approved June 16, 1970 (P. L. 1970, c. 102).

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

1 1. Section 20 of P. L. 1970, c. 102 (C. 18A:64G-20) is amended to  
2 read as follows:

3 20. No retirement, death, or other benefits shall be payable by the  
4 State or the college to such former municipal employees, *except that*  
5 *the board of trustees is hereby authorized and permitted to pay*  
6 *death benefits on behalf of certain former municipal employees of*  
7 *the hospital who continue as employees of the college, as specified*  
8 *below, and to include in the annual budgets of the college such*  
9 *amounts as the board of trustees expects may be required to pay*  
10 *such benefits.*

11 *Upon death prior to retirement, the board of trustees may pay*  
12 *death benefits on behalf of former municipal employees of the*  
13 *hospital who, following the acquisition of the hospital by the college,*  
14 *have continued as employees of the college and, with respect to*  
15 *whom, no death benefit is payable either (a) under section 23 of*  
16 *P. L. 1954, c. 218, as amended and supplemented (C. 43:13-22.25)*  
17 *or (b) under sections 41, 45, 46, 48 or 49 of P. L. 1954, c. 84 as*  
18 *amended and supplemented (C. 43:15A-41, 43:15A-45, 43:15A-46,*  
19 *43:15A-48 and 43:15A-49).*

20 *The amount of benefits provided for each person specified above*  
21 *shall not exceed an amount equal to such person's annual salary as*  
22 *the employee of the college received at the time of death. If the*  
23 *Employees' Retirement System of the city of Newark, established*  
24 *pursuant to said P. L. 1954, c. 218, as amended and supplemented*  
25 *from time to time, provides any other death benefit with respect*  
26 *to any employee of the college, exclusive of a return of contribu-*

27 tions, the amount of death benefit pursuant to this provision shall  
28 be reduced by the amount of such other death benefit provided with  
29 respect to such employee under said system.

30 Any person on behalf of whom the board of trustees may provide  
31 such death benefit may designate a beneficiary and may from time  
32 to time change his designation, by filing written notice thereof, over  
33 his signature, with the board of trustees. If at the death of a  
34 person with respect to whom a death benefit is payable there be no  
35 surviving designated beneficiary as to all, or any part of his death  
36 benefit, then the amount of death benefit, payable for which there  
37 is no surviving designated beneficiary shall be payable to the person  
38 or persons listed below surviving as of the date of his death in the  
39 following order of precedence: (1) to the widow or widower of such  
40 person; (2) if neither of the aforementioned, to the child or children  
41 of the person, in equal shares, and descendants of deceased children  
42 by representation; (3) if none of the aforementioned, to the parents  
43 of such person, in equal shares or the survivor of them; (4) if none  
44 of the aforementioned, to the duly appointed executor or adminis-  
45 trator of the estate of such person; (5) if none of the aforemen-  
46 tioned, to other next of kin of such person as may be determined by  
47 the board of trustees to be entitled under the laws of the domicile  
48 of such person at the time of his death.

1 2. This act shall take effect immediately.

**SENATE EDUCATION COMMITTEE**

STATEMENT TO

**SENATE, No. 1003**

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**STATE OF NEW JERSEY**

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DATED: MAY 15, 1972

When the New Jersey College of Medicine and Dentistry, now the College of Medicine and Dentistry of New Jersey, acquired Martland Hospital from the city of Newark the employees of the hospital were allowed to retain their membership in the Employees' Retirement System of the City of Newark (ERSN). Under the provisions of ERSN, upon death prior to retirement, a death benefit is paid only if the member has a specific dependent relative (parent, spouse, or minor child) to whom it may be paid. In all other cases, no death benefit is paid.

Employees hired since that time are members of the Public Employees Retirement System (PERS).

This bill would permit the College of Medicine and Dentistry of New Jersey to pay, upon death prior to retirement, death benefits on behalf of the former municipal employees of the hospital who have continued as employees of the medical school and who have no specific dependent relative. A similar benefit is now enjoyed by members of PERS working in the hospital.

The death benefit would not exceed an amount equal to the person's annual salary. Also, if the Newark pension system (ERSN) provides any other death benefit to any employee of the college, exclusive of a return of contributions, the amount of the benefit paid by the college would be reduced by that amount.