

SENATE, No. 98

STATE OF NEW JERSEY

INTRODUCED JANUARY 25, 1960

By Senator FARLEY

Referred to Committee on State, County and Municipal Government

AN ACT to amend and supplement "An act for the establishment of a police and firemen's retirement system for police and firemen of a municipality, county, or political subdivision thereof," approved May 23, 1944 (P. L. 1944, c. 255).

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

1 1. Section 10 of the act of which this act is amendatory is amended to
2 read as follows:

3 10. (1) Upon the accidental death of a member before retirement; pro-
4 vided, that evidence shall be submitted to the board of trustees justifying the
5 determination that the natural and proximate cause of such death was an ac-
6 cident met in the actual performance of duty, within 5 years preceding the
7 date of such death, and that such death was not the result of the member's
8 willful negligence, an accidental death benefit shall be payable.

9 (2) The accidental death benefit shall consist of:

10 (a) The amount of the member's aggregate contributions which shall be
11 paid as an annuity to his designated beneficiary if living, otherwise in a sum
12 to the executor or administrator of the member's estate; and

13 (b) [A pension of \$1,500.00 a year] *An annual pension equal to 1/2 the*
14 *average final compensation of the member to the widow of the member if he*

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

15 leaves a widow to whom he was married before he attained 50 years of age,
 16 to continue until her death or remarriage. If there be a widow and children
 17 of the member, the pension shall be paid to the widow for the use of herself
 18 and such children. If there be such children and no widow, or if the widow
 19 dies, the pension which the widow would have received had she survived,
 20 shall be paid to those children who have not reached 18 years of age, in equal
 21 shares, if there be 3 or more children; if there be 2 children, they shall be
 22 paid \$40.00 each, monthly; if there be but 1 child, he shall be paid \$50.00
 23 monthly; but in no event shall the pension paid to the children exceed, in the
 24 aggregate, the sum of \$1,500.00 annually.

25 [The increased pension benefits payable under this act shall apply only
 26 to cases where such policeman or fireman lost his life while on duty on or
 27 after June 1, 1948 and shall not affect pensions paid or to be paid as result
 28 of deaths occurring prior to said date.]

- 1 2. The increases under this amendatory act shall apply only to retire-
 2 ment allowances payable on account of deaths occurring after January 11,
 3 1956; provided, however, that such increases shall be applicable only to pay-
 4 ments becoming due after the month in which this act becomes effective.
- 1 3. This act shall take effect immediately.

STATEMENT

This bill increases a widow's pension upon and as a result of the service-
 connected death of a policeman or fireman under the Police and Firemen's Re-
 tirement System. The widow's pension in connection with a service-connected
 death would be increased from \$1,500.00 to 1/2 the average final compensation of
 the member.

This change would bring the benefit of this law into line with the benefits
 now payable under the Public Employees' Retirement System and Teachers'
 Pension and Annuity Fund. This increase will apply to pensions granted since
 January 11, 1956. A revision of the laws, effective on that date, eliminated the
 possibility of municipalities authorizing pensions which would supplement the
 benefits payable from the retirement system.

ASSEMBLY COMMITTEE AMENDMENT TO

SENATE, No. 98

STATE OF NEW JERSEY

ADOPTED MARCH 28, 1960

Amend page 2, section 1, line 28, following line 28, insert the following language:

“The increased pension benefits payable under this act shall apply only to cases where such policeman or fireman lost his life while on duty on or after June 1, 1948 and shall not affect pensions paid or to be paid as result of death occurring prior to said date.”.

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