

43:16-3 and 4

LEGISLATIVE HISTORY CHECKLIST

NJSA 43:16-3; 43:16-4

Laws of 1974 Chapter 110

Bill No. A 1177

Sponsor(s) Jackman

Date Introduced Feb. 11

Committee: Assembly Municipal Gov't.

Senate County & Municipal Gov't.

Amended during passage No

Date of passage: Assembly May 9

Senate May 16

Date of approval Oct 1

Following statements are attached if available:

Sponsor statement No

Committee Statement: Assembly No

Senate Yes

Fiscal Note No

Veto message No

Message on signing Yes

Following were printed:

Reports No

Hearings No

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FEB 1977

ASSEMBLY, No. 1177

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1974

By Assemblyman JACKMAN

Referred to Committee on Municipal Government

AN ACT concerning the pension fund of police and firemen and
amending R. S. 43:16-3 and 43:16-4.

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

1-2 1. R. S. 43:16-3 is amended to read as follows:

3 43:16-3. (a) Upon the receipt of proper proofs of the death of
4 a member who shall not have lost his life while on duty, there shall
5 be paid to his widow or dependent widower a pension of 25% of
6 the member's average salary, for the use of herself or himself, to
7 continue during her or his widowhood, plus 15% of such salary
8 payable to one surviving child or plus 25% of such salary to two or
9 more surviving children; if there is no surviving widow or depend-
10 ent widower or in case the widow or dependent widower dies or re-
11 marries, 20% of the member's average salary will be payable to one
12 surviving child, 35% of such salary to two surviving children in
13 equal shares and if there be three or more children, 50% of such
14 salary will be payable to such children in equal shares; if there is
15 no surviving widow, dependent widower or child, 25% of the mem-
16 ber's average salary will be payable to one surviving dependent
17 parent or 40% of such salary will be payable to two surviving
18 dependent parents in equal shares.

19 (b) Upon the receipt of proper proofs of the death after retire-
20 ment of a former member of the pension fund, there shall be paid to
21 his widow or dependent widower a pension of 25% of the member's
22 average salary for the use of herself or himself, to continue during
23 her or his widowhood, plus 15% of such salary payable to one
24 surviving child or plus 25% of such salary to two or more surviving
25 children; if there is no surviving widow or dependent widower or
26 in case the widow or dependent widower dies or remarries, 20%

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

27 of the member's average salary will be payable to one surviving
 28 child, 35% of such salary to two surviving children in equal shares
 29 and if there be three or more children, 50% of such salary will be
 30 payable to such children in equal shares.

31 (c) The changes in benefits provided by subsections (a) and (b)
 32 of this section shall apply only to pensions [hereafter] granted
 33 after April 1, 1967; provided, however, that any pension in an
 34 amount less than [\$1,600.00] \$2,500.00 per annum presently being
 35 paid or to be paid in the future, pursuant to R. S. 43:16-3, to a
 36 widow of a policeman or fireman who did not lose his life while
 37 on duty or who died following retirement, shall be increased
 38 [\$1,600.00] \$2,500.00 per annum.

1-2 2. R. S. 43:16-4 is amended to read as follows:

3 43:16-4. (a) Upon the receipt of proper proofs of the death of
 4 a member who shall have lost his life while on duty, there shall be
 5 paid to his widow or dependent widower a pension of $\frac{1}{2}$ of the
 6 member's average salary, for the use of herself or himself and the
 7 children of the deceased member, to continue during her or his
 8 widowhood; if there is no surviving widow or dependent widower
 9 or in case the widow or dependent widower dies or remarries, 20%
 10 of the member's average salary will be payable to one surviving
 11 child, 35% of such salary to two surviving children in equal shares
 12 and if there be three or more children, $\frac{1}{2}$ of such salary will be pay-
 13 able to such children in equal shares; if there is no surviving widow,
 14 dependent widower, or child, 25% of the member's average salary
 15 will be payable to one surviving dependent parent or 40% of such
 16 salary will be payable to two surviving dependent parents in equal
 17 shares.

18 (b) The changes in benefits provided by subsection (a) of this
 19 section shall apply only to pensions granted after April 1, 1967;
 20 provided, however, that any pension in an amount less than
 21 [\$2,100.00] \$2,500.00 per annum presently being paid or to be paid
 22 in the future, pursuant to R. S. 43:16-4, to a widow of a policeman
 23 or fireman who lost his life while on duty, shall be increased to
 24 [\$2,100.00] \$2,500.00 per annum.

1 3. This act shall take effect immediately.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1177

STATE OF NEW JERSEY

DATED: MAY 13, 1974

Assembly Bill 1177 concerns the minimum benefits payable to eligible survivors of certain deceased firemen or policemen qualifying under the consolidated police and firemen's pension fund (R. S. 43:16-1 et seq.).

Under existing law eligible survivors of members of said pension fund who died while in service, but not on duty, or after retirement, are eligible for a total minimum pension of \$1,600.00 per annum. The eligible survivors of a policeman or fireman having lost his life while on duty are eligible for a total minimum pension of \$2,100.00 per annum.

This bill raises to \$2,500.00 the minimum annual pension payable to the eligible survivors of all 3 categories of police or firemen.

A technical change is also made in the effective date of the pension benefits provided under R. S. 43:16-3 (a) and (b).

FROM THE OFFICE OF THE GOVERNOR

OCTOBER 1, 1974

FOR FURTHER INFORMATION

IMMEDIATE RELEASE

DICK CAMPBELL

Governor Brendan Byrne signed into law Tuesday a bill increasing pensions for widows of police and firemen.

The bill, A-1177 sponsored by Assemblyman Christopher J. Jackman, D-Hudson, was signed by the Governor at a public ceremony in his outer office.

The measure increases from \$1,600 to \$2,500 the minimum annual pension to widows of police and fireman who died while in service but not on duty, or after retirement.

The new law also increases from \$2,100 to \$2,500 the minimum annual pension to widows of police and firemen who died while on duty.

"This new law will bring the pensions for widows of police and firemen to a more realistic level," said Byrne.

The measure passed both the Senate and Assembly unanimously.
