

# **NEW JERSEY STATE RETIRED POLICEMEN AND FIREMEN'S ASSOCIATION**



## **CONSTITUTION AND BY-LAWS**

### **IN MEMORIUM**

The adoption of the Constitution and By-Laws of this Association is dedicated in memory of all deceased Members.

### **PREAMBLE**

It being a well-established fact that a number of individuals laboring for the accomplishment of the same purpose, are more likely to obtain the objects desired by combining their efforts than by separate action, and by forming themselves into an organized body will better protect their individual rights, promote their welfare and forward their interests, as well as extend their sphere of usefulness, we do therefore form ourselves into an Association, under the name and for the objects hereinafter set forth and do hereby adopt the following Constitution and By-Laws for its rules and guidance.

# CONSTITUTION AND BY-LAWS

## ARTICLE I

### TITLE

**Section 1:** This Association shall be known as the NEW JERSEY STATE RETIRED POLICEMEN AND FIREMEN'S ASSOCIATION, INC. and is a state organization having subordinate county local branches within the State. It grants charters to county local branches, and the individual members of each are members of this Association and subject to its control and regulation. Every County Local and each member thereof by accepting and retaining its charter consents to all of the provisions of these By-Laws or Amendments thereto.

## ARTICLE II

### OBJECT

**Section 1:** The object of this Association shall be to unite fraternally on a state-wide basis in order to promote and encourage legislative action at the Federal and State levels of government in protecting and improving the pension, health and general welfare benefits of retirees of the police and fire departments as well as of their survivors and/or other beneficiaries. This Association may not be involved in matters concerning any pension plan other than a New Jersey plan on behalf of any member.

**Section 2.** In order to better promote the state-wide objects of this Association it shall be, and is hereby authorized and encouraged to assist in organizing affiliated County Locals throughout the State of New Jersey.

**REV – 1/6/11**

## **ARTICLE III**

### **POWERS OF THE ASSOCIATION**

**Section 1.** This Association, in general Assembly, shall have absolute and exclusive jurisdiction and control in all matters affecting the administration and welfare of the Association and of the duly chartered county locals and the members hereof, and specifically:

- A. To enact all by-laws and adopt rules and regulations not inconsistent herewith;
  
- B. To enact and adopt any and all such rules and regulations as may be required and deemed necessary for the best interest and welfare of the Association and each County Local and its individual members;
  
- C. To have complete jurisdiction at all times over each County Local Association, whose rules and regulations shall, at all times, be subject and subordinate to the rules, regulations and by-laws of this Association;
  
- D. To approve, modify or reject any county local by-law or amendment thereto which shall be submitted to this Association for approval prior to adoption, which approval shall be and is a condition to the amendment of any such by-laws;

E. To adopt such taxes, levies or assessments against all county local associations and any of their members as may be deemed necessary, proper and appropriate for the best interest of this Association;

F. To require and collect from the county local association the payment of such monies, dues and assessments as shall be necessary to meet the expenses of this Association;

G. To prescribe any additional qualifications or conditions for obtaining a charter or obtaining or retaining membership herein and in any county local hereof;

H. To consider, hear and determine all appeals concerning members of this Association, county local associations and/or individual members thereof, which determination shall be final and binding upon all such members and chartered county locals;

I. To revoke or suspend a charter of a county local association for cause;

J. To take such action as may be deemed necessary consistent with and under these by-laws and any and all amendment thereto.

## **ARTICLE IV**

### **MEMBERSHIP**

**Section 1:** ACTIVE MEMBERSHIP shall be open to all retired full time Law Enforcement Officers and to full time Paid Firemen who were employed by the State, County, or Federal Department or Agency, or political subdivision thereof, and who have retired and are receiving a pension from a State, County, Local or Federal Pension System covering Law Enforcement Officers and/or full time paid Firemen. The term "full time" as used in this section shall mean that their employment as a Law Enforcement Officer or Firemen shall have been their principal source of income prior to retirement.

Active membership shall also be offered to any eligible person who was employed as a full time Law Enforcement Officer or Paid Firemen in another State who is now retired. Special Officers, Fee Officers, and those appointed for a fixed term are excluded.

**Section 2:** ASSOCIATE MEMBERSHIP shall be open to all individuals who are in their twenty-fifth (25th) year or more of service but who are actively employed full time in a Law Enforcement Agency or Paid Fire Department. Associate members may attend meetings but shall not be able to vote or hold office, nor shall the Association nor any County Local thereof owe any obligation to any such Associate Member.

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**Section 3:** AUXILIARY MEMBERSHIP The State Association or any Chartered County Local thereof may provide for acceptance, on an individual or group basis, as Auxiliary Members, any wife or husband of an Active Member or the spouse of a deceased retiree who was a member of any of the Police and Firemen's Retirement system as outlined in Section 1, hereof. Such members shall have the same status as Associate Members hereof.

**Section 4.** HONORARY MEMBERSHIP. Trustees elected to represent police or fire department members of the Consolidated Police and Firemen's Pension Fund and the Police and Firemen's Retirement System of the State of New Jersey shall be ex-officio Honorary Members of this Association and of the county local Association nearest their place of residence. Any such Trustee who is retired may of course, elect to become an Active Member in lieu of Honorary Membership. Honorary Membership may be granted to any other individual who, in the opinion of the State or any County Local thereof, is deserving of such membership. Honorary Members have no rights or privileges other than to attend meetings to which they have been invited.

**Section 5.** All classes of Members shall be admitted by the county local association in accordance with the regulations of each county local which shall, in no way, conflict with any regulation of this Association. Upon admission to the county local association, each member thereof becomes a member of this Association so long as he/she remains in good standing. A member ceasing to be a member of the county local association also ceases to be a member of

this Association. This Association may expel an individual member of a county local association for a violation of its rules and regulations or by-laws hereof.

**Section 7.** The secretary of the local shall maintain a record of each member of that local which shall be made available to the President of the State Association or his designee upon request.

**Section 6.** Applicants who qualify for membership in accordance with Section 1 of this Article shall be referred to an investigating committee which shall report its findings to the county local president. The committee may require certification of the applicant's eligibility. The President shall report to the membership at which time the application or applications shall be voted upon by the membership with a majority vote of the quorum present required for approval.

**Section 8.** Each Local shall pay the annual per-capita assessment for each member by April 15. Locals shall not be required to pay the annual per-capita assessment until the following year for new members enrolled after April 15 of each year.

**Section 9.** Each County Local may exempt from county local dues such members as it deems appropriate, but must however, pay the annual per-capita assessment to the State Association for all members to whom a duly authorized membership card is issued.

**Section 10.** Out of State Locals for the State of New Jersey may admit members who are members of good standing in a New Jersey local and shall maintain the names of each member and the name of the local the member belongs to. Members in good standing of any local must be paid up members. **REV – 1/6/11**

## **ARTICLE V**

### **LOSS OF MEMBERSHIP**

**Section 1.** Any County Local or individual member thereof in arrears for dues or assessments for a period of three (3) months shall be notified by the appropriate Financial Secretary by regular mail, of such arrearage and, at the expiration of thirty (30) days from receipt of said notice - such County Local or individual member shall be automatically dropped from the rolls of membership or affiliation in the Association.

**Section 2.** Any County Local or member dropped from the rolls of membership or affiliation for non-payment of dues or assessments may be reinstated upon the payment in full of all arrearages plus any expenses incurred by the Association and upon a favorable vote of a majority of the members entitled to vote thereon.

**Section 3.** Amnesty - Each Local, upon the written approval of the State Association, may offer a one time amnesty program, permitting members to rejoin the association upon payment of a reduced dues arrearage payment. This item must be worked out to determine the amount of payment.

## **ARTICLE VI**

### **MEETINGS**

**Section 1.** The State Association shall meet at least quarterly at a time and place designated by the Executive Board for which

advance notice shall be given to each State Officer, the County Local Presidents and Delegates.

**Section 2.** Officers and Delegates shall attend all regular and special meetings of the State Association as may such other members and individuals as are specifically invited by the State President.

**Section 3.** County Local Officers may attend, and shall be permitted a voice and offer motions and resolutions and make nominations for office at State Meetings, but voting shall be limited to the duly elected State Officers (excluding Trustees) and the Senior Delegate from each County Local (or an Alternate Delegate in his absence). The State President shall not be entitled to vote, except when the votes are equally divided on a question, when he shall have the deciding vote.

**Section 4.** County Local Associations shall establish such by-laws, or rules and regulations concerning county local meetings and procedures as may be deemed necessary or desirable for the proper conduct of such meetings and proceedings.

## **ARTICLE VII**

### **DELEGATES**

**Section 1.** State Delegates.

A. the State Delegate shall be elected or appointed for a one (1) year term of office in the manner prescribed by the County Local by-laws. Any vacancy shall be filled for the unexpired term by an appointment made by the County Local President.

B. Each County Local Association may elect or appoint a first and second Alternate Delegate, with authority to act, in numerical order, in place of the State Delegate during his temporary absence or disability.

**Section 2.** Whenever a Delegate is elected to a State Office (other than Trustee) his office of Delegate shall be declared vacant and the vacancy thus created shall be filled as provided in Section 1., above.

**Section 3.** The State Delegate shall represent the County Local Association at all State Meetings and act as a liaison between the two organizations. He shall report all State activities, including legislative efforts, to the County Local Association, keeping it advised on all matters of current interest. He shall maintain public relations with County Local legislators and keep advised of any and all legislation affecting the Association and the members hereof.

**Section 4.** He shall serve on such committees of the State Association as appointed by the State President; shall be a member of all important committees on a county local level; and shall keep advised of any change or amendment in the by-laws and so notify the county local. He shall also process all communications between the county local or its individual members and the State Association, particularly as to any grievances or appeals that may be processed. This section is not inclusive concerning the duties of a delegate since he is to carry out and affect any and all matters in furtherance of his general duties as aforesaid.

**Section 5.** Each State Delegate shall be reimbursed by the Local for reasonable expenses directly related to accomplishing the responsibilities of the office, provided that prior approval is received in accordance with the Local's By-Laws.

**ARTICLE VIII**  
**OFFICERS AND ELECTIONS**

**Section 1.** The elected Officers of this Association shall be a President, three (3) Vice-presidents (in numerical order), a Treasurer, Financial Secretary, Recording Secretary, Sergeant-at-Arms and Three (3) non-voting Trustees. One delegate from each of the Locals shall also be considered Officers of the Association but not elected officers. All officers (excepting Trustees and Delegates) shall serve for a term of two (2) years, or until their successors shall be nominated and elected as herein provided.

**Section 2.** Officers shall have the privilege of being nominated and succeeding themselves or each other for another term or to fill a vacancy in any other office. No Officer shall be eligible to hold more than one office in the State or a County Local Association, but may however, hold one office in either or both. (Excluding Delegates who may also be a Trustee).

**Section 3.** Only active members in good standing shall be eligible for nomination for office. All candidates for state office must be nominated and endorsed, in writing, by their county local association, certifying their eligibility and setting forth the names of said candidates along with the Title of each office for which they would accept nomination. All such nominations must be submitted to the State Secretary not later than the regular meeting in September of each year.

**Section 4.** After nominations by the various County Locals are read at the September meeting, the President shall call three (3) times for any other nominations for each office from the floor. Any eligible member who is nominated shall become a candidate for that particular office, although no individual may be a candidate for more than one office. (Other than Delegate who may also be a Trustee).

**Section 5.** On or before the regular September meeting in each year, the President shall appoint a nominating committee consisting of five Delegates. They shall elect their own chairman and shall review all nominations, ascertain the eligibility of the various candidates and shall submit recommendations for a full slate of officers at the regular November meeting of the Association.

**Section 6.** All candidates nominated for Office shall be voted upon and elected by a majority vote of the elected Officers and delegates present and eligible to vote at the Annual Meeting in January and the successful candidates shall be installed and take their respective offices immediately following their election.

**Section 7.** Whenever no contest appears in the election for any office, the Secretary shall cast one (1) ballot for each unopposed candidate, in order, which shall signify the unanimous election of that unopposed candidate.

**Section 8.** Except as otherwise provided herein, whenever a vacancy exists or occurs in any office, the President shall appoint any active member in good standing to fill that office for the remainder of the term of office.

**Section 9.** All Officers of this Association shall have their books, records, files, papers, etc. available at all times for the inspection by the Board of Trustees. All officers, upon expiration of their term of office, shall immediately turn over

all money, books, records, files, etc. or any other property of the Association to their successors, or upon demand, to the Trustees of the Association.

**Section 10.** Expenses may be paid to Officers of the Association only upon approval of the Executive Board.

**Section 11.** Officers of the State Association may be removed upon one (1) unexcused absence from three (3) consecutive meetings and they may be removed for neglect of duties of their office, failure to comply with these by-laws and lawful orders of the President or the Executive Board or for any other act of misfeasance, malfeasance or nonfeasance of office.

**Section 12.** A two-third vote of the Executive Board shall be necessary to remove an Officer, Trustee or Delegate, but only after thirty (30) days written notice setting forth the basis for such action has been given to the individual so charged and a seven (7) days notice of a scheduled hearing before the Executive Board shall have been given to the Board Members and the person charged.

**Section 13.** Any elected Officer or member who shall resign or be removed from office or membership and be later reinstated to membership, shall have to wait one (1) year to be eligible to run for state or county local office.

**Section 14.** Each County Local Association shall have the power to establish regulations concerning the number of Officers, manner of elections, terms of office and similar matters as shall be deemed necessary and proper by said County Local.

**ARTICLE IX**  
**DUTIES OF OFFICERS**

**Section 1.** President

A. The President shall be the Executive Head of this Association. He shall have the duty to call and preside at all meetings and shall appoint all Committees, standing or otherwise, which may be necessary for the business of the Association.

B. He shall enforce the strict observance of the constitution and by-laws; advise the Association in its work and proceedings; verify that all officers perform their appropriate duties; decide questions of order; judge and declare the results of all elections; sign all charters and orders and countersign all checks for money to be paid by the Association after approval of the Trustees.

C. He shall sign all legal documents and other necessary instruments; call special meetings when, in his judgment, they shall be necessary; visit and attend the county local associations to observe their functioning; assist and report thereon; call upon any individual member or county local for aid, assistance or

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instruction on any business; and to perform any and all other duties as may be prescribed herein or assigned by this Association.

D. Should the President be prevented by illness or otherwise from performing his duties, the 1st Vice-President shall act in his place. Should the office of President be vacated, the 1<sup>st</sup> Vice-president shall become President.

E. The President shall be ex-officio member of all committees and of the Board of Trustees, but shall not be entitled to vote on such committees.

F. The President is authorized and empowered to summon any member of this Association to appear at any regular or special meeting in order to ascertain and seek information relating to the business of this or any county local association. Any member refusing to comply with such summons or request shall be subject to suspension.

**Section 2.** Vice-Presidents.

- A. It shall be the duty of the Vice-presidents to observe and obey all orders of the President, and during his absence, in numerical order, to assume and perform his duties as required herein.
- B. In addition to duties assigned by the President, the First Vice President shall be responsible for oversight of the meeting venue and refreshments for the meeting.
- C. In addition to duties assigned by the President, the Second Vice President shall oversee the Ways and Means Committee.

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D. In addition to duties assigned by the President, the Third Vice President shall oversee the Membership Committee.

**Section 3.** Treasurer.

A. It shall be the duty of the Treasurer to receive all money due this Association from whatever source from the Financial Secretary, giving a receipt therefore. He shall be chief custodian and disbursing officer of the funds of this Association and he shall pay or disburse no money except with the approval of the Board of Trustees. He shall keep records of all monies of this Association in a bank or banks as approved by the Trustees, having all accounts prepared for settlement at the regular meetings of the Association. He shall prepare reports for each regular meeting comprising cash received, purpose and expenses of the Association, balance on hand, and such other financial records as required by the Board of Trustees. A copy of said report shall be provided to the Recording Secretary for entry in the minutes, and the original copy retained by him for audit purposes by the Board of Trustees. He shall perform such other duties as may be required of him and as pertain to his Office.

B. Upon orders of the Board of Trustees, the Treasurer shall be bonded for the proper performance of his duties and the faithful accounting of all money received by him, which bond shall remain in the custody of the Board of Trustees. The Trustees shall fix the sum of the bond subject to approval of the Executive Board, which bond shall be executed by a responsible security organization with the costs thereof defrayed by this Association.

C. He shall read the bills presented at each meeting and turn them over to the Trustees for review and approval.

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**Section 4.** Financial Secretary

A. The Financial Secretary shall keep an accurate account of all monies received from each county local association and from all other sources, giving a receipt therefore, and shall turn over all money so received to the Treasurer of this Association in return for a receipt there from. He shall forthwith notify by registered mail, return receipt requested, all county local associations of any arrearages for their per-capita assessments, or for any other monies due the Association on or before the date specified for the payment of same and shall announce at the regular meetings, the names of all county local associations in arrears and of their financial obligations to the Association. He shall maintain a record of the number of members of each county local association, and shall issue the yearly membership cards upon receipt of the per-capita assessment, and shall execute such other duties as may be prescribed by this Association.

B. He shall furnish the Recording Secretary a copy of the record of the number of members of each local.

**Section 5.** Sergeant-at-Arms.

A. The Sergeant-at-Arms shall enforce order at all meetings, particularly as to those attending and their right to attend. He shall remain at the entrance door and permit no person to enter without being properly identified or vouched for. He shall also require all attendees to sign the official attendance book prior to the start of the meeting and will lead the members in the Pledge of Allegiance to the flag.

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**Section 6.** Recording Secretary.

A. The Recording Secretary shall keep and have full charge of the minute books and the association files and Seal. He shall keep an accurate record of all proceedings of meetings and a correct account of the total membership in the Association, as furnished by the Financial Secretary. The Recording Secretary shall transcribe and prepare the minutes of each meeting immediately following said meeting. He shall forward a copy of the transcribed minutes to the State President and to the Delegate of each County Local no later than fourteen (14) calendar days following each regular or special meeting. He shall read the proceedings of previous meetings, unless those minutes have been distributed to the elected officers and delegates electronically or by US mail, together with all communications, reports, petitions, etc., to members present at each regular or special meeting if so directed. He shall attend and perform the duties of Secretary at all meetings of the Executive Board and render a report at each regular meeting as to the recommendations made by said Board. In the event of failure of said Board to meet, he shall so state. He shall perform such other duties as may be prescribed by this Association.

**ARTICLE X**

**EXECUTIVE BOARD**

**Section 1.** The Executive Board shall consist of the elected officers specified in Article VIII, Section 1 of this Constitution. The Board shall have governing authority over the State Association and its subordinate bodies to the end of upholding the policies

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of this Association as expressed in this constitution. The powers, duties and authority of the Executive Board, as are not otherwise delegated in this constitution and by-laws, shall be exercised, acted upon and determined by the Executive Board.

**Section 2.** All decisions of the Executive Board shall be in writing and shall be final unless an appeal is filed in accordance with the provisions of Article XIV of this constitution and by-laws provided, however, that the decision of the Executive Board shall be valid and binding upon this Association until such time as the appeal is heard and decided.

**Section 3.** The Executive Board shall hold meetings at such specific time and place as shall be determined by the President or at the call of a majority of the members of the Board.

**Section 4.** A majority of the members of the Executive Board shall constitute a quorum for the transaction of its business. In matters requiring action when the Executive Board is not in session, the Executive Board may act by telephone, telegram, e-mail or letter and the Recording Secretary shall notify the county local delegate of the action taken by the Board as expeditiously as possible. It is the responsibility of the delegate to notify the President of his Local.

**Section 5.** Upon a majority vote of a quorum of the Executive Board, any county local association must exhibit to the Executive Board of this Association all of its books, papers, accounts, property and other things in its possession, the same to be delivered to the Executive Board through the President and Secretary of the

county local association immediately upon the receipt of the written request of the State President, upon recommendation of the Board of Trustees of the State or a County Local Association.

## **ARTICLE XI**

### **BOARD OF TRUSTEES**

**Section 1.** The Board of Trustees of the State Association shall consist of three (3) Delegates to be elected by a majority vote of a quorum of the elected officers and Delegates, one to serve for one (1) year; one for two (2) years, and one for three (3) years or until each one's successor is elected. Thereafter, each year, one Trustee shall be elected from among the Delegates for a term of three (3) years.

**Section 2.** The Board of Trustees shall examine all bills submitted to the Association and shall recommend payment of all legitimate bills and expenses. A majority of the Board of Trustees shall have authority to approve payment of any bill or bills submitted for its consideration between the regularly scheduled meetings of the Association, provided the President and Treasurer shall both certify that the expense is a regularly approved monthly expenditure of the Association. No such approval shall be given for any expenditure of funds of the Association that have not previously been authorized in the normal conduct of the business of the Association.

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**Section 3.** The Trustees shall have custody of the bonds from any officer designated under these by-laws, before such officer shall assume the duties of his office. It shall have access to all books, records, files, papers, etc. of this Association at all times. It shall oversee and have a record of all property and chattels owned by this Association which shall be maintained at the State Office or in the custody of any designated officer of the said Association. They shall keep an accurate record of the date, payee, object, account and date of approval for each payment authorized by them.

**Section 4.** The Senior Trustee shall serve as Chairman and shall preside at their meetings and be their spokesman at meetings of the State Association.

## **ARTICLE XII**

### **COUNTY LOCAL CHARTERS**

#### **Section 1.**

A. Applications for new Charters and for transfers of membership shall be made in writing to the State President and referred by him to an Ad Hoc Charter Committee which, after due investigation, shall report its findings to the Executive Board. Upon approval of the Board, a new county local shall be issued a Charter signed by the President and attested by the Recording

Secretary, which charter shall remain the property of this Association at all times. Each such new Charter shall set forth the name, number and date of admission of said county local.

B. Each County Local of this Association shall be required to incorporate under the statutes of this State, Title 15, Chapter 16, and all amendments thereto. The Certificate of Incorporation and such other documents required to be filed pursuant to federal or state statute shall be the responsibility of the County Local Officers and a copy of all such documents shall be filed with the Secretary of the State Association.

**Section 2.** A charter of a county local association may be revoked or said association expelled from membership in this Association for non-payment of dues or assessments, failure to comply with these by-laws and rules and regulations of this Association or for any act adverse and detrimental to this Association.

A. In the event of any of the aforesaid, the President of this Association shall temporarily suspend such county local association and its representatives from further participation in the affairs of this Association, pending a hearing and trial upon charges made against it. Pending said hearing and trial, the President and

Executive Board of this Association shall assume full control and charge of the affairs, books, property, accounts and any and all asset of whatsoever nature of said county local association.

B. The President of this Association shall present or cause to be presented written charges against said county local association, specifying in detail the charge or charges so made, which charge or charges shall be served upon any officer of said county local and a copy presented to the Recording Secretary of this Association. The Recording Secretary shall thereafter notify the Executive Board which shall investigate the charges and if substantiated, shall notify the County Local Association as to the time and place of hearing, said notice to be given at least fifteen (15) days prior thereto. Said county local association shall attend said hearing through its officers, not to exceed three (3), and present any and all witnesses that it may desire. The charges and hearing shall be held before the Executive Board of this Association which shall render a written determination concerning such charge or charges and such determination shall be final and conclusive unless a timely appeal is filed as provided by Article XIV.

C. If an appeal is filed and the determination is favorable to said county local association, the President of this Association and its Executive Board shall immediately return and restore all property of said county local.

D. If an appeal is filed and the determination is adverse to said County Local, it shall be immediately expelled from membership herein and its assets and property of any kind shall be disposed of in the following manner:

1. All property, books, records, papers, documents and monies shall immediately become the property of this Association which is authorized to take possession of the same and, if necessary to institute and maintain legal action for the recovery of the same in the courts of this State.

2. All of the personal and real property, accounts, monies, savings accounts, checking accounts, trust accounts and monies deposited to the credit of any County Local Association in any banking institution or any purpose whatever, shall immediately vest in this Association without claim thereto on the part of said County Local Association. Said banking institutions, persons, firms or other corporations having custody or possession of such monies, accounts, or personal or real property, shall immediately turn over same to this Association in whom the same shall vest, absolutely, legally and equitably in every respect whatsoever. This Association is empowered and authorized to institute legal and equitable actions for recovery of the same for the purpose of administering and liquidating all of said property, monies, accounts, savings accounts, trust accounts, to the credit of said County Local Association for the benefit, welfare and division among its' members in good standing as of the expulsion of said

County Local Association, less any and all expenses incurred for the recovery of same, for administration thereof and for any monies due this Association. The surplus, if any, shall be divided proportionately among all of the County Local Associations in good standing of the County Local Association as of said expulsion.

3. This Association is empowered, authorized and directed to sell any and all assets and property of said County Local Association. and convert the same into cash, if necessary, from time to time to accomplish a liquidation of the assets of said County Local Association.

**Section 3** Out of State Charters –This Association is empowered to grant Out of State Charters under the following conditions:

A. A Local Charter may be granted to an Out of State group of retirees who meet the qualifications for Membership as stated in Article IV. All members who have retired from an agency in New Jersey are required to be a member in good standing in a County Local in the State of New Jersey.

B. Out of State Retired Policemen and Firemen from the State of New Jersey may apply for a New Jersey Out of State Charter if they meet the following:

1. A minimum of ten (10) Retired Police and Firemen who are committed to starting an Out of State Local.
2. Within (90) days of being given the OK, have all the required paper work submitted to the N.J. State President.

C. All Out of State Locals who have met all the requirements and have been granted an Out of State Charter:

1. Shall be on an equal standing with all other County Locals.
2. Shall be treated as an equal.

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3. No requirements other than those imposed on N.J. County Locals shall be imposed on an Out of State Local.

D. Out of State Locals, due to the distance from the State of New Jersey and monetary costs involved, shall be excused from attending all required New Jersey State meetings.

E. Out of State Locals shall have sent to their State Delegate the minutes of all New Jersey State meetings. The Delegate shall copy and distribute these minutes to the necessary Officers they deem appropriate.

F. Out of State Locals shall pay their required per capita tax per Local member.

G. Members of Out of State Locals are only obligated to pay dues to the Out of State Local he/she is a member of.

1. An Out of State retiree is not required to belong to a New Jersey Local to be able to join an Out of State Local.

2. Nothing shall stop an Out of State member from also belonging to a local in the State of New Jersey.

3. If a member belongs to more than one County Local he shall pay the required dues to those Locals.

H. If a member belongs to more than (1) one Local, each Local he belongs to shall pay per capita State tax on that member.

## **ARTICLE XIII**

### **LEGISLATION AND POLITICAL ACTION**

#### **Section 1** – Legislation

A. All matters pertaining to proposed or pending legislation shall be referred in writing by each State Delegate to the State President who shall forward such matters to the Legislative Committee. In emergencies, however, a verbal report will suffice, to be followed up by the written report.

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B. The Legislative Committee, with the emergency exception above, shall report in writing to the State Board of Delegates on each such matter. The action of the State Board of Delegates with due regard to any recommendations of the Legislative Committee, shall be final and binding.

**Section 2.** Political Action

A. Nothing shall prevent this Association, the County Local Chapters, or the members thereof, individually or collectively, from participating in the political advancement of any person or persons who become candidates for an elective office as outlined below, provided however, that no individual member may purport to speak for or on behalf of this Association or any county local chapter thereof without prior approval of the State or county local President.

B. Chartered County Locals may endorse candidates for political office only within the election districts within the geographical boundaries of their charter, which endorsements must be approved by a majority vote of the Executive Board of the County Local, or a majority vote of the members in good standing residing in a particular election district within the geographical limits covered by the charter and provided further, that:

1. The State President is notified of the action to be taken and;

2. That the County Local Chapter shall not endorse any candidate who is opposing a candidate whose endorsement has been approved by the State Association.

C. The State Association may endorse candidates for state-wide or federal office as approved by a majority vote of the State Delegates only after having carefully considered any recommendations of the State Legislative Committee.

## **ARTICLE XIV**

### **ADMINISTRATIVE HEARINGS, REMEDIES AND APPEALS**

**Section 1.** No court proceedings shall be instituted or maintained by any member against this Association or any County Local association without first seeking redress from and within this Association. No county local association shall institute or commence court proceedings of any kind or nature against this Association or any other county local association without first seeking redress from and within this Association. The provisions of this section shall constitute an adequate administrative remedy and a condition precedent to the institution of any court action against this Association, by a county local association or any individual member thereof.

**Section 2.** The State Executive Board shall have jurisdiction over the following matters: Appeals from the decisions of county local executive boards; disputes between State Delegates; disputes between a State Delegate and his county local association; disputes between a State Delegate and another county local association; disputes between a county local association and the State Association; disputes between a State Delegate and the State Association; and any other matter required to be submitted to the State Association under these by-laws.

**Section 3.**

A. No member shall be expelled, suspended, penalized or otherwise disciplined by a county local association or this Association unless and until written charges are personally served upon the member or mailed to him, certified mail, return receipt requested. No county local association's charter shall be revoked or otherwise sanctioned or disciplined unless and until written charges are personally served upon the county local association President or mailed to him, return receipt requested. The written charges shall contain a brief description of the facts sufficient to give notice to the charged party of the alleged offense.

B. Charges must be in writing, duly signed by a member of this Association, and must be served not more than 90 days following

the alleged offense or offences upon which the charges are based. Failure to prefer charges within the aforesaid 90 day period shall bar all future action regarding the alleged offenses.

C. If charges are preferred at the county local association level, copies of the charges are to be delivered to the county local association's President and State Delegate of the county local. The county local association President shall then bring the matter to the attention of the county local Executive Board or Committee which shall process the matter in accordance with this Article. If charges are preferred at the State Association level, copies of the charges are to be delivered or mailed, certified return receipt requested, to the State President. The State President shall then bring the matter to the attention of the State Executive Board.

**Section 4.** Appeals.

A. The decision of a county local Executive Board is the final administrative action of the county local association as to matters within its jurisdiction. An appeal may be taken from any decision of the county local Executive Board by any member adversely affected by such decision. The notice of appeal must be filed with the State President within 30 days following the final decision of the county local Executive Board. The appeal must be in writing and delivered or mailed, certified return receipt requested, to the State President. Upon receipt of the appeal,

the State President shall notify the State Executive Board which shall meet within 30 days to consider the matter and to decide the issue based upon the written and oral testimony presented at any and all prior hearings on the charges. Failure to file the appeal within the 30 day limitation shall bar any further action on the matter on the part of the aggrieved county local or individual.

B. In order for any decision of the State Executive Board to be final and binding, said decision must be approved by a two-thirds (2/3) majority vote of the Executive Board.

**ARTICLE XV**  
**PER-CAPITA VOTE**

**Section 1.** The per-capita system of voting shall be regulated as follows:

A. Each Chartered County Local shall have one (1) vote by reason of its charter.

B. The Principal Delegate representing that County Local shall be entitled to one vote, and he, or an alternate delegate in his absence, shall cast these votes.

C. Each duly elected State Officer (Trustees excluded) shall have one vote by virtue of said office. No vote shall be cast for any officer who is not present at the meeting.

D. The State President may only vote to break a tie.

## **ARTICLE XVI**

### **AMENDMENTS**

**Section 1.** Proposed amendments to these by-laws, shall be submitted to the State President, who shall refer same to the By-Law Committee for review and report. The By-Law Committee shall make whatever revisions or modifications it deems necessary in order to comply with the provision of the State By-Laws. The By-Law amendment or amendments as so revised or modified shall be returned to the Delegate of the county local proposing the change where same shall again be reviewed and acted upon, and thereafter returned to the State By-Law Committee.

**Section 2.** If satisfied that the proposed amendment is in conformity with these by-laws, the By-Laws Committee shall introduce the proposed amendment with its report on the revisions or modifications, if any, and submit it at a regular meeting of the State Association at which time the proposed amendment shall have its first reading. The Delegates of each county local association are responsible to obtain a copy of the proposed amendment for consideration by his county local and instructions on the action he is to take. Any County Local Association may, in writing/ submit its opposition to the proposed change or changes, within 30 days after the regular state meeting and first reading.

**Section 3.** At the next regular meeting of the State Association, or at a special meeting called for that purpose to be held not less than 45 days after the first reading has taken place, the proposed amendment or amendments shall be voted upon. A two-thirds majority vote of the Executive Board and the State Delegates present at the meeting, in favor of the change shall be required for approval and, if approved, the said change or changes shall become effective thirty (30) days thereafter.

**Section 4.** Any proposal debated and voted upon as above, if defeated, shall not be re-introduced for a period of six (6) months thereafter.

**ARTICLE XVII.**  
**PARLIAMENTARY LAW**

**Section 1.** The latest revision of Robert's Rules of Order shall be the guide when it does not conflict with any established law or rule of this Association.

**ORDER OF BUSINESS**

- (1) Call to Order
- (2) Pledge of Allegiance.
- (3) Prayer in memory of departed Brothers.
- (4) Roll Call of Officers.
- (5) Call for approval of Minutes of previous meetings.
- (6) Report of Executive Board.

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- (7) Report of Financial Secretary.
- (8) Report of Treasurer – Reading of the bills.
- (9) Report of Trustees.
- (10) Report of Standing Committees.
- (11) Report of Special and Ad-Hoc Committees.
- (12) Reading of Correspondence
- (13) Unfinished Business.
- (14) New Business.
- (15) Good & Welfare.
- (16) Adjournment.

**Section 2 - Quorum:** A quorum for a meeting shall consist of one fourth (1/4) of the Association's elected officers and delegates. Whenever the requirement for a vote on any topic is needed and it is determined that a quorum is not present, the vote will be tabled or the President will, with a majority of the members present, waive the requirement for a quorum. This waiver of the Rules of Parliamentary Procedure governing a quorum will only be accepted for exigent or emergency circumstances on a topic requiring an immediate vote.

### **COMMITTEES AND DUTIES.**

The objectives, general duties and responsibilities of Standing and other committees shall include, but not be limited to, the broad general outlines as described below, subject at all times to the directions of the President and Executive Board. No expenditures payable from the funds of this Association may be incurred by the Chairman or members of any committee unless previously authorized by the Executive Board. Committees may take all the steps necessary for the attainment of their goals, but no final action may be taken without prior approval of the Executive Board.

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The President shall appoint the Chairman and members of the following Standing Committees, and of such Ad Hoc Committees as deemed necessary from time to time. The President shall be ex-officio a member of all committees. Committee reports shall require approval of a majority of the committee and shall be made by the chairman. Dissenting or minority reports may be offered by any member or members of the committee.

### **AUDIT COMMITTEE**

This Committee shall be composed of the Board of Trustees and it shall, in addition to the requirements of Article XI, be responsible to inspect and audit the books of the Financial Secretary and Treasurer during January of each calendar year and shall submit a report of its findings and recommendations at the Annual Meeting in January of each year. A special audit shall be conducted at any change of the Treasurer and/or the Financial Secretary.

### **BY-LAWS COMMITTEE**

This committee shall be responsible to consider any change in the Constitution or By-Laws that are properly referred to it, or as deemed necessary by a majority of the committee. Any such proposals for amendments, revisions, additions or deletions shall follow the procedures called for in Article XVI.

### **LEGISLATIVE COMMITTEE**

It shall be the responsibility of this Committee to study and evaluate all proposed legislation to determine whether it may favorable or adversely affect the welfare of the members, and

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shall report its findings and recommendations to the Association. The Committee, upon request of the President, shall provide for its Chairman and/or other members of the Association to appear before legislative bodies or committees and/or to take other political action to present the official views of this Association in support of, or opposition to, any such proposed or pending legislation. The chairman shall report at regular meetings on laws passed by the Legislature that may be of general interest to the members. The committee shall draft and submit to the Association for approval, the proposed wording of such Bills and/or Resolutions as are referred to it by the President or the Executive Board.

### **LIAISON COMMITTEE**

This Committee shall maintain avenues of communication, exchange of information and mutual cooperation with other Organizations or Associations, wherein the members thereof presently, or in the future will have the same concerns with pension and retirement benefits for themselves, their survivors and/or other beneficiaries, as are held by the members of this Association.

### **MEMBERSHIP COMMITTEE**

The State Membership Committee shall, in cooperation with its county local counterparts, assist in planning and implementing methods and means of increasing membership in the existing County Local

