

CHAPTER 6

CONSOLIDATED POLICE AND FIREMEN'S PENSION FUND

Authority

N.J.S.A. 43:16-7.

Source and Effective Date

R.1998 d.583, effective November 23, 1998.
See: 30 N.J.R. 3761(b), 30 N.J.R. 4388(a).

Executive Order No. 66(1978) Expiration Date

Chapter 6, Consolidated Police and Firemen's Pension Fund, expires on November 23, 2003.

Chapter Historical Note

Chapter 6, Consolidated Police and Firemen's Pension Fund, was filed and became effective prior to September 1, 1969. Pursuant to Executive Order No. 66(1978), Chapter 6 expired on December 6, 1984.

Chapter 6, Consolidated Police and Firemen's Pension Fund, was adopted as new rules by R.1985 d.37, effective February 19, 1985. See: 16 N.J.R. 2997(b), 17 N.J.R. 475(b).

Pursuant to Executive Order No. 66(1978), Chapter 6, Consolidated Police and Firemen's Pension Fund, was readopted as R.1988 d.579, effective November 22, 1988. See: 20 N.J.R. 2537(a), 20 N.J.R. 3142(a). Pursuant to Executive Order No. 66(1978), Chapter 6 expired on November 22, 1993.

Chapter 6, Consolidated Police and Firemen's Pension Fund, was adopted as new rules by R.1993 d.659, effective December 20, 1993. See: 25 N.J.R. 3946(a), 25 N.J.R. 5942(b).

Pursuant to Executive Order No. 66(1978), Chapter 6, Consolidated Police and Firemen's Pension Fund, was readopted as R.1998 d.583, effective November 23, 1998, and Subchapter 2, Membership, and Subchapter 4, Transfers, were repealed by R.1998 d.583, effective December 21, 1998. See: Source and Effective Date. See, also, section annotations.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. ADMINISTRATION

- 17:6-1.1 Commission meetings
- 17:6-1.2 Fiscal year
- 17:6-1.3 Officers and committees
- 17:6-1.4 Election of members—Commission
- 17:6-1.5 Certifying officer (employer)
- 17:6-1.6 Records
- 17:6-1.7 Appeal from Commission decisions
- 17:6-1.8 Suspension of pension checks
- 17:6-1.9 (Reserved)

SUBCHAPTER 2. (RESERVED)

SUBCHAPTER 3. RETIREMENT

- 17:6-3.1 through 17:6-3.2 (Reserved)
- 17:6-3.3 Survivor benefits
- 17:6-3.4 Accrued allowance
- 17:6-3.5 Ineligibility of adopted children
- 17:6-3.6 (Reserved)
- 17:6-3.7 Disability determination
- 17:6-3.8 Employer application; employee notice
- 17:6-3.9 Medical examinations; physicians

17:6-3.10 Effective date; death prior thereto

SUBCHAPTER 1. ADMINISTRATION

17:6-1.1 Commission meetings

(a) The Commission shall meet semiannually on the second Wednesday of June and December unless a change is declared in order by the Secretary at an appropriate time, and subject to the exception of the annual meeting prescribed by N.J.S.A. 43:16-6.2.

(b) The presence of three Commission members at the start of any meeting of the Commission will be necessary in order to constitute a quorum of the Commission. Such presence need not be actual physical presence but may, at the determination of the Secretary that the circumstances warrant it, include the participation of any of the three Commission members by telecommunications connection.

Amended by R.1993 d.659, effective December 20, 1993.
See: 25 N.J.R. 3946(a), 25 N.J.R. 5942(b).
Amended by R.1998 d.583, effective December 21, 1998.
See: 30 N.J.R. 3761(b), 30 N.J.R. 4388(a).

In (a), inserted "semiannually" following "meet", substituted "June and December" for "each month," and substituted "Secretary" for "chairman"; and in (b), substituted "Secretary" for "chairman" in the second sentence and substituted "three Commission" for "four commission" throughout.

17:6-1.2 Fiscal year

(a) Fiscal year shall mean the 12-month period of fiscal transactions commencing July 1 and running until June 30 following.

(b) The actuarial valuation is based on a calendar year.

(c) All other reports and statements will consider such a fiscal year except special reports not having direct relationship to the financial transactions of the retirement system.

17:6-1.3 Officers and committees

(a) The chairman of the Commission will be elected by a majority vote of the members in attendance at the June meeting of each year, not less than three members to be present at such a meeting. The chairman of the board shall preside at all meetings he or she attends and in his or her absence another member selected by the majority of the members in attendance will preside for that single meeting.

(b) Upon recommendation of the Director of the Division of Pensions and Benefits, the Commission will select from the staff of such Division a secretary and assistant secretary, the latter to serve in the absence of the secretary.

(c) The chairman will appoint such committees from the Commission members as he or she deems necessary to facilitate the Commission's operations. Such committee appointments will be for a one-year period, commencing each July 1.

Amended by R.1973 d.26, effective January 19, 1973.

See: 4 N.J.R. 283(b), 5 N.J.R. 60(b).

Amended by R.1993 d.659, effective December 20, 1993.

See: 25 N.J.R. 3946(a), 25 N.J.R. 5942(b).

Amended by R.1998 d.583, effective December 21, 1998.

See: 30 N.J.R. 3761(b), 30 N.J.R. 4388(a).

In (a), substituted "June meeting of each year," for "first meeting of each fiscal year" and "three members" for "four members" in the first sentence.

17:6-1.4 Election of members—Commission

(a) The election of Commission members shall include the use of election notices and nominating petitions. Requirements for the election notice and petition shall include:

1. A notice prepared and forwarded to retired members advising them of the position to be voted upon. All present members of the Commission and the expiration of their terms will be shown.
2. The election notice will indicate to the member that petition forms will be provided by the Commission and forwarded upon request.
3. The election notice will also indicate that at least two eligible retired members must sign the petition in order for a candidate's name to be placed on the ballot.
4. Petitioners shall indicate their Social Security or retirement number, and sign the petition.
5. A retired member may sign a petition for only one candidate.
6. The candidate named on the petition must sign the petition in a designated space indicating that he or she is willing to be a candidate.
7. The instructions will indicate the closing date for the filing of such petitions and also indicate that a ballot bearing the names of such candidates will be forwarded to each eligible voter.
8. The qualified candidates will be invited to a drawing to determine the order in which the candidates' names will appear on the ballot.
9. If only one candidate is nominated for a position, the candidate shall be deemed elected to the position without balloting.

(b) The requirements for the ballot shall include the following:

1. Ballots bearing the name and retirement number of retired members shall be forwarded directly to retired members.

2. The ballots and return envelopes will identify the ballot as being either for the police or fireman's election.

3. The closing date of the election will be indicated.

4. The name of each candidate nominated by proper petition filed within the prescribed time will appear on the ballot.

5. Instructions for the proper casting of the ballot (marking of the ballot, returning of such ballot through the return envelope and notice to sign such envelopes) will be given to each eligible voter.

6. The instructions will also indicate that the candidate receiving the highest number of votes will be declared elected to position.

7. The returned ballot-bearing envelope is to be examined for proper signature. A record will be maintained to identify the Social Security or retirement number of the members who have voted.

(c) The Commission will appoint the Secretary and one assistant to examine the returned ballots and to tabulate the votes cast:

1. The Secretary will have the power to eliminate any ballot which is not properly cast.
2. The Secretary will report on the results of the election to the Commission.

(d) The candidates whose names are printed on the ballots will be informed as to the method and date of counting the ballots, and will be invited to be present or to be represented at the counting of the ballots.

(e) In the event there is but one qualified candidate who has indicated his or her willingness to be such a candidate, the Secretary will call for a vote cast in favor of the candidate by the members of the Commission. In the event that the candidate is so elected, a statement as to the ineligibility of any other candidate will be filed with the Secretary of State, together with notice that the candidate has been so elected.

Amended by R.1984 d.36, effective February 19, 1985.

See: 16 N.J.R. 2999(a), 17 N.J.R. 476(a).

(b)3: "20" eligible was "50".

Amended by R.1985 d.36, effective February 19, 1985.

See: 16 N.J.R. 2999(a), 17 N.J.R. 476(a).

Amended by R.1989 d.320, effective June 19, 1989.

See: 21 N.J.R. 438(a), 21 N.J.R. 1744(a).

Petition signatures changed from 20 to five, at (b)3.

Amended by R.1998 d.583, effective December 21, 1998.

See: 30 N.J.R. 3761(b), 30 N.J.R. 4388(a).

Rewrote the section.

Amended by R.2000 d.412, effective October 16, 2000.

See: 32 N.J.R. 2660(b), 32 N.J.R. 3863(a).

Rewrote the section.