

3. The secretary, shall, within five days after the meeting and no later than the 10th day of June, forward to the secretary of the Board a certificate containing the mem-

bership register numbers, names, addresses and school districts of the delegates and alternates.

(g) Each county shall be entitled to one delegate for each 400 members employed in the county or major fraction thereof; provided, however, that each county shall have at least one delegate.

(h) Each county shall be entitled to elect alternates, the number not to exceed one half of the number of delegates elected.

(i) The secretary of the Board shall forward to each delegate and alternate his identification for admission to the convention, a copy of the election rule, convention agenda, annual report of the Board of Trustees for preceding fiscal year and the name of the trustee whose term is expiring.

(j) The candidate for trustee must be employed in one of the counties of the group so designated for electing a trustee that year and must be a resident of New Jersey.

(k) The secretary of the Board shall also notify each delegate and alternate of the names of the candidates to be nominated for trustee that have been registered with him before the first day of November.

(l) The county grouping for election of trustee shall be as follows:

Group A	Group B	Group C
Bergen	Middlesex	Atlantic
Essex	Monmouth	Burlington
Hudson	Morris	Camden
Union	Passaic	Cape May
	Somerset	Cumberland
	Sussex	Gloucester
	Warren	Hunterdon
		Mercer
		Ocean
		Salem

(m) The election of a member-trustee shall be for a three-year term beginning the succeeding January 1.

(n) The nominating speech shall be limited to five minutes, with not more than one seconding speech of three minutes.

(o) A candidate to be elected must receive a majority of the total votes cast by the seated delegates or their alternates. In the event no candidate receives a majority, the candidate who has received the least number of votes shall be eliminated. This procedure shall be repeated on each succeeding ballot until one candidate has received a majority of the total vote.

(p) The trustee for the three-year term commencing January 1, 1958, must be employed in a county in Group A; for the three-year term commencing January 1, 1959, in a county in Group B; for the three-year term commencing January 1, 1960, in a county in Group C; and so forth.

(q) Only delegates with proper identification will be admitted to the main floor of the convention.

(r) Alternates and visitors shall be seated in a specified area.

(s) The secretary of the convention will conduct a roll call of the delegates. Alternates will be seated in the place of respective county absentee delegates in the order in which they are listed by the secretary of the county meeting:

1. Delegates, as well as alternates, shall be seated by 10:30 A.M.
2. The election of the member-trustee shall require a majority vote among the delegates actually seated in the convention.

(t) A majority of all of the delegates entitled to seats in the convention shall constitute a quorum for transacting the business of the convention.

(u) The minutes of the convention will be forwarded to each delegate as soon as possible following the conclusion of the convention, but only those delegates who clearly identify themselves and the county they represent will be recorded in the minutes as having participated in the convention.

(v) Visitors and alternates not seated at the convention will only be recognized during the convention at the discretion of the chairman.

(w) Delegates and alternates will be reimbursed for actual travel expense incurred in connection with the convention at the rate of \$0.18 per mile for travel by auto, actual tax exempt fare for travel by bus or train, and meals not in excess of \$2.50 per day.

As amended, R.1973 d.196, effective July 24, 1973.
 See: 5 N.J.R. 203(c), 5 N.J.R. 294(d).
 As amended, R.1974 d.24, effective January 31, 1974.
 See: 5 N.J.R. 426(d), 6 N.J.R. 124(a).
 As amended, R.1975 d.140, effective May 27, 1975.
 See: 7 N.J.R. 179(a), 7 N.J.R. 349(a).
 As amended, R.1978 d.444, effective December 29, 1978.
 See: 10 N.J.R. 517(a), 11 N.J.R. 105(c).
 As amended, R.1980 d.405, effective September 19, 1980.
 See: 12 N.J.R. 435(b), 12 N.J.R. 678(a).

(w): Rate increased from \$0.16 to \$0.18.
 As amended, R.1983 d.483, effective November 7, 1983.
 See: 15 N.J.R. 1360(a), 15 N.J.R. 1870(d).
 Certain dates and groupings changed concerning the election of delegates.

17:3-1.5 Certifying agent (employer)

(a) The secretary of each local board of education shall be the certifying agent for the respective school district.

(b) The secretary, as the certifying agent, shall be responsible for the duties prescribed by N.J.S.A. 18A:66-32 and all other duties relating to matters concerning the fund.

(c) In locations other than boards of education, the chief fiscal officer or the personnel officer shall serve as the certifying agent for such units.

As amended, R.1973 d.49, effective February 14, 1973.
See: 5 N.J.R. 20(b), 5 N.J.R. 95(b).

Case Notes

School employee held not disqualified from purchase of retirement credit for unpaid maternity leave where failure to purchase credit within one year of return to active service was due to her being informed by school district employee, to whom duties of certifying agent had been delegated, that she could not purchase credit, and prompt action was taken by her to secure rights when error was learned. *Zigmont v. Bd. of Trustees, Teachers' Pension and Annuity Fund*, 182 N.J.Super. 50, 440 A.2d 37 (App.Div.1981), reversed 91 N.J. 580, 453 A.2d 1333 (1983).

17:3-1.6 Records

(a) The minutes of the Board are a matter of public record and may be inspected during regular business hours in the office of the Board secretary.

(b) The mailing addresses of all active and retired members are considered to be a part of the members' confidential files and shall not be released for any purpose.

(c) All medical testimony obtained in connection with an application for disability retirement shall be restricted for the confidential use of the Board of Trustees.

17:3-1.7 Appeal from Board decisions

The following statement shall be incorporated in every written notice setting forth the Board's determination in a matter where such determination is contrary to the claim made by the claimant or his legal representative:

"If you disagree with the determination of the Board of Trustees in this matter, you may appeal by sending a written statement to the Board within 45 days from the date of this letter informing the Board of your disagreement and all of the reasons therefor. If no such written statement is received within the 45-day period this determination shall be considered final."

As amended, R.1971 d.63, effective April 28, 1971.
See: 3 N.J.R. 48(a), 3 N.J.R. 117(a).

17:3-1.8 Suspension of pension checks

(a) The disbursement of pension checks shall be suspended under the following circumstances and such suspension shall continue during the period in default:

1. If a disability retiree fails to appear for a medical examination;
2. If a disability retiree fails to timely file a report with the Fund of his annual earned income;

3. If a widow, widower, parent or guardian of a minor child(ren) fails to file a certificate of eligibility which is normally mailed to such beneficiaries on an annual basis;

4. If a retiree or beneficiary becomes mentally or physically incompetent. The disbursement of pension checks in this event shall be suspended until a proper legal representative has been appointed.

As amended, R.1979 d.205, effective May 22, 1979.
See: 11 N.J.R. 208(a), 11 N.J.R. 359(a).
As amended, R.1980 d.103, effective March 5, 1980.
See: 12 N.J.R. 55(b), 12 N.J.R. 224(e).

17:3-1.9 Verified discrepancy in member's age

The member's account (active or retired) shall be reconstructed and all benefit entitlements and contributions shall be determined on the basis of the member's correct date of birth.

17:3-1.10 Travel

Travel to and from work when it is to and from the regular place of employment is not considered duty rendered in the course of employment for the purpose of determining eligibility for accidental disability or accidental death benefits.

As amended, R.1973 d.49, effective February 14, 1973.
See: 5 N.J.R. 20(b), 5 N.J.R. 95(b).

17:3-1.11 Proof of age

(a) All members may be required to establish proof of their age with the Fund. A person enrolling in the Fund may be requested to submit proof of his or her age at the time of such enrollment, and will be required to submit such proof of age before a period of six years has been elapsed from the date of enrollment.

(b) In the event a member dies before satisfactory evidence of his or her date of birth has been filed with the Fund, appropriate evidence may be required before any death claim is processed for settlement.

(c) In the event proof of age has not been filed with the Fund before retirement, such proof must be filed before any retirement benefits may be disbursed.

As amended, R.1980 d.103, effective March 5, 1980.
See: 12 N.J.R. 55(b), 12 N.J.R. 224(e).
As amended, R.1983 d.78, effective March 21, 1983.
See: 14 N.J.R. 1202(b), 15 N.J.R. 449(b).
Language added regarding proof of age.

17:3-1.12 State employees; biweekly salaries

(a) Retirement and death benefits as well as service credit will be determined on the basis of biweekly pay periods for State employees paid by centralized payroll.