

New Jersey State Firemen's Association



Compendium

**CONSTITUTION AND BY-LAWS
GENERAL RELIEF FUND RULES**

2010

**CONSTITUTION AND BY-LAWS
OF THE
NEW JERSEY STATE
FIREMEN'S ASSOCIATION**

2010

AMENDED: MARCH 27, 2010

TABLE OF CONTENTS

		Page No.
Constitution	Preamble	1
ARTICLE I	Name of Association	1
ARTICLE II	Officers Section 1 to 3	2
ARTICLE III	Executive Committee and Board of Managers Election – Section 1 to 5	4
ARTICLE IV	Executive Committee and Duties Meetings – Section 1 to 8	5
ARTICLE V	Officers Duties – Section 1 to 14	6
ARTICLE VI	Convention and Executive Committee Meetings – Section 1 to 5	8
ARTICLE VII	Appointments – Section 1 to 16	8
ARTICLE VIII	Delegates to Convention – Section 1 to 3	11
ARTICLE IX	Organization of Local Relief Associations Section 1 to 3	12
ARTICLE X	Rules of Order – Section 1 to 9	12
ARTICLE XI	Discipline and Suspension – Section 1 to 5	14
ARTICLE XII	Amendment	15
ARTICLE XIII	Severability	16

**CONSTITUTION AND BY-LAWS
OF THE
NEW JERSEY STATE FIREMEN’S ASSOCIATION**

CONSTITUTION

PREAMBLE

The objects of this Association are: The furtherance of the best interests of the Firemen’s Relief Associations of this State, which are or may become members of this Association, so that the funds of the said Relief Associations may be protected and the best results for the benefit of aged and needy active and/or otherwise qualified firefighters and their families, and those injured, incapacitated or killed in the performance of their duty, may be achieved; the protection against the encroachment upon the source of said funds, the advancement of the status and best interests of all firefighters, the development and advancement of the best methods of fire protection and the cultivation of fraternal fellowship among the various departments and firefighters throughout the State and elsewhere.

ARTICLE I

NAME

This Association shall be known as the New Jersey State Firemen’s Association and shall consist of the general membership, delegates or alternates elected in accordance with the by-laws of the Local Incorporated Relief Associations, the chief or if there being no chief, the next highest ranking line officer as his alternate and the delegate or alternate elected by the duly recognized Exempt Associations of this State and the officers and life members of this Association after their election as provided by law.

ARTICLE II

OFFICERS

Section 1. The officers of this Association shall consist of a President, Vice President, Treasurer, Secretary, First Assistant Secretary and Second Assistant Secretary. All officers must be members of this Association at the time of their election. These officers shall be elected at the Association's annual convention by ballot. The successful candidates are those who receive the highest number of votes cast. Term of office will be from October 1st through September 30th immediately following the election.

Section 2. Ballots for the election for the office of President, Vice President, Treasurer, Secretary, First Assistant Secretary, and Second Assistant Secretary, will be prepared by the Secretary as follows:

- 1) Ballots must be prepared in advance of the Convention. A Candidate for any of the respective offices must submit to the office of the New Jersey State Firemen's Association, an official petition indicating the position he or she seeks. This Petition must be filed in person with the Secretary of the Association on or before June 1st of each year.
 - a. A standard Official Petition will be created by Counsel for the Association and adopted by the Executive Committee.
 - b. The Petition will include a place for the Candidate's name, the position he or she is seeking, a certification and designated places to obtain signatures of Association members.
 - c. The Petition may be obtained either in person at the Association Office or on the Association's web-site.
 - d. No Candidate may file a Petition for more than one of the offices listed in Section 2 above.
 - e. The certification shall confirm that the Candidate will serve in the position if elected.
 - f. Each Candidate shall file his or her own Petition. No Candidates may form a team, block or slate of candidates.
 - g. Petitions are non-partisan.
 - h. Each Petition MUST have a minimum of ten (10) signatures with signatures coming from individuals representing at least three (3) Local Relief Associations.
 - i. Candidates may sign their own Petition as one of the signatures.
 - j. Candidates may sign Petitions for other candidates for other positions, as long as they are a Delegate and/or Life Member.
 - k. All Petitions received will be reviewed by the Judges of Election and the Counsel for compliance with the rules established herein. Said review shall occur within the first ten (10) days of June.
 - l. If a Petition is deemed defective, one or more of the Judges of Election shall notify the Petitioner in writing or electronic form of the defect and provide three (3) business days to correct the deficiency.

- m. Defective Petitions due to insufficient number of valid signatures may not be corrected and will be deemed invalid.
 - n. If a Petition is compliant, or deemed compliant after proper correction, the Candidate's name shall appear on the ballot at the convention.
 - o. If a Petition is deemed defective and not timely corrected, the Candidate's name shall not appear on the ballot at the convention.
- 2) When more than one Candidate has filed a compliant Petition and is therefore running for the same office, a drawing will be held for position on the ballot. Said drawing for other positions shall occur in the State Association's office on notice to each candidate by the drawing of positions, in alphabetical order by the candidates' last name, from numbers from an opaque container.
 - 3) The Judges of Election shall provide the names of all compliant Petitions to the Secretary for the creation of the ballot by June 30 of the current year.
 - 4) The ballot prepared by the Secretary will be the official ballot for the convention and must be used by the members entitled to vote. Space will be provided on the ballot for any of qualified person seeking election by write-in vote.
 - 5) No Delegate or Alternate in place of a Delegate nor Life Member shall be entitled to more than one vote.
 - 6) Any Candidate wishing to withdraw as a candidate must do so by filing a notarized letter with the Secretary before August 1st in order for their name to be removed from the ballot.

Section 3. For the purposes of receiving the ballots there shall be ballot boxes, voting machines or appropriate devices provided in sufficient number to allow voting and no member shall be allowed to cast his ballot unless he is recorded as being present by the Credential Committee. The President shall appoint a Judge and two (2) tellers. When the polls are declared closed, the Judge shall announce the total number of votes received by each candidate to the convention.

- a. Challenge to an election. A challenge to an election must be made in writing to the Secretary no later than five (5) business days after the close of the convention stating the position or position(s) which the Challenger is contesting. The Judge of Elections shall serve as the lead official in any challenge with the advice of Counsel. A single representative of each candidate (which may be the candidate) for the positions contested shall also observe. The challenger shall state his challenge with the opportunity for opposing candidates or their representatives to be heard and the Judge of Election, upon advice of the Counsel, shall make a determination as to the challenge. If the challenge requires a recount, the Judge of Elections and two additional neutral parties shall conduct the recount with the oversight of the Counsel and witnessed by the affected candidates. A recount may include the review of the election tapes, paper ballots and/or the voting machines as the case may be.

ARTICE III

EXECUTIVE COMMITTEE AND BOARD OF MANAGERS ELECTION

Section 1. A caucus of the Delegates and Life Members from each county shall be held previous to the time set for the holding of the annual convention to elect a candidate as a member of the Executive Committee for their respective counties. When required to elect a candidate as a member of the Board of Managers of the Firemen's Home, they shall be elected in the same manner as the Executive Committee. The nominees receiving the highest number of votes cast shall be elected as a member of the Executive Committee or the Board of Managers of the Firemen's Home, depending upon the position for which they were nominated. Candidates for election must be members of a Local Firemen's Relief Association and reside in the county which they shall represent. It shall be declared a vacancy if a member of the Executive Committee or a member the Board of Managers should change their principal residence outside their respective county.

Section 2. Said caucus shall be called by the members of the Executive Committee, who shall give a minimum of ten (10) days notice in writing of the time and place at which same will be held. Each Executive Committeeman shall keep a record of the proceedings and report to the Secretary of the State Association the choice of said caucus, as the elected member of the Executive Committee, or of the Board of Managers respectively.

Section 3. Should the result of the county caucus be challenged as being incorrect by the majority of Delegates and Life Members on roll call from that county, then the President of this State Association shall caucus the members of such county present at the annual convention at his/her convenience, the result of which shall be final.

Section 4. Each county having announced its elected Executive Committeeman and Member of the Board of Managers the Secretary of the State Association shall prepare a list containing the names and the respective offices of which they were elected at their County Caucus. The Secretary of the State Association shall read the names and positions of each elected Executive Committeeman and Member of the Board of Managers at the annual convention.

Section 5. At no time can a member serve concurrently on the Executive Committee and the Board of Managers.

ARTICLE IV

EXECUTIVE COMMITTEE AND DUTIES

Section 1. The duties of the Executive Committee shall include the publication of the proceedings of the annual convention and transaction of all business of the Association during the time intervening between the annual conventions. The Executive Committee shall have full power and authority to hear and determine all differences and disputes that may arise in any Local Relief Association between the Board of Representatives and the officers or boards of said associations, between the Boards of Representatives and Boards of Trustees and between the said boards and anyone claiming any right therein; and the decision of the said Executive Committee upon the subject shall be final. It shall have the supervision and power of control of the funds and other property of the General Relief Fund and of all Firemen's Relief Associations and shall see that they are properly guarded and legally invested and expended, and shall report to the Commissioner of Banking and Insurance of this State on or before the tenth day of June in each and every year a list of all associations that have complied with the law in all respects, and shall set the salaries: annually for the Officers and Executive Committee which will take effect October 1st each year. A majority of the committee shall constitute a quorum for the transaction of business, providing all have been notified.

The Officers and the Field Examiner shall participate in the meetings of the Executive Committee and shall have a voice but no vote. This shall not affect the President (or in his absence the Presiding Officer) who shall, in case of a tie, cast the deciding vote.

Section 2. The Executive Committee shall execute a blanket bond covering all officers of each and every Local Firemen's Relief Association in such amounts as recommended by the Treasurer and Field Examiner of the State Association and which bond shall also cover all officers of the State Association, in such amounts as the Executive Committee shall decide upon. The premium for said bond is to be paid from the General Relief Fund.

Section 3. The Executive Committee shall appoint annually at the May meeting an Attorney at Law to serve as Counsel and may appoint an Attorney at Law to serve as Assistant Counsel to this Association. They shall become ex-officio a member of this Association and of the Executive Committee, and receive a salary as set annually by the Executive Committee.

Section 4. The Executive Committee shall also appoint annually at the May meeting a member of the Association to act as Field Examiner and receive a salary set annually by the Executive Committee.

Section 5. In the event of resignation, death or other permanent absence of the Vice President, Treasurer, Secretary, First Assistant Secretary or Second Assistant Secretary, a new Officer for the vacant office shall be appointed by the President with the approval of the Executive Committee to fill the unexpired term.

Section 6. Any vacancy occurring in the Executive Committee or the Board of Managers

of the Firemen's Home shall be filled by appointment by the President of the candidate elected in the manner as the original candidates were elected. A caucus shall be necessary to elect such candidate or candidates, said caucus shall be called by the First Assistant Secretary, in the manner provided under Article II, Section 2.

Section 7. Any vacancy occurring in the office of Field Examiner or Counsel, said office shall be filled for the unexpired term, in the same manner as the original appointment was made.

Section 8. Any vacancy occurring in any of the appointed offices shall be filled in the manner as the original appointment was made. All Officers elected or appointed to fill a vacancy caused by death, resignation or otherwise shall take office immediately after appointment and hold office for the unexpired term or until their successors are elected or appointed as the case may be.

ARTICLE V

OFFICERS DUTIES

Section 1. It shall be the duty of the President to preside at all meetings and conventions of the Association and of the Executive Committee, to decide all points of order and to appoint all standing and special committees.

Section 2. In the absence or temporary disability of the President from any meeting, Convention, Executive Committee Meeting, or the office of the Association, the Vice President shall act in his place, with all the powers and duties of the President.

Section 3. In the event of resignation, death or other permanent absence of the President, the Vice President shall automatically become President and a new Vice President shall be appointed by the President with the approval of the Executive Committee to fill the un-expired term.

Section 4. In the event of resignation, death or other permanent absence of the Vice President, Treasurer, Secretary, First Assistant Secretary or Second Assistant Secretary, a new officer for the vacant office shall be appointed by the President with the approval of the Executive Committee to fill the un-expired term.

Section 5. The Secretary shall keep in a book provided for that purpose, a complete record of all the proceedings of the Association and the Executive Committee. He shall also answer all communications pertaining to the Association.

Section 6. The First Assistant Secretary shall be clerk of the Executive Committee and Chairman of the Legislative Committee. In the event of death or disability of the Secretary, he shall act in his place, with all the powers and duties of the Secretary. In the inability of the First Assistant Secretary to act, the Second Assistant Secretary shall act in his place.

Section 7. The Treasurer shall receive all monies due the Association, pay all bills, and at each annual meeting render a statement of his receipts and disbursements covering the General Relief Fund.

Section 8. The Treasurer shall collect all assessments levied against the Local Firemen's Relief Associations for the purpose of the General Relief Fund and shall disburse same as directed. He shall render a quarterly outside independent Certified Public Accountant's report of the receipts and disbursements of said funds to the Executive Committee, an annual report to the convention, and a quarterly report to each secretary.

Section 9. The Field Examiner shall examine the books, bonds and property of any association whenever it may deem necessary for the proper care, safety and custody of the funds and property thereof, and for that purpose may demand and receive, for examination, all bonds and papers necessary for a full and fair examination thereof.

Section 10. The Field Examiner is empowered to recommend to the local association suspension of any or all officers of the local association whose accounts may not be in order and take such other steps as will best protect the interest of the association. He shall report the names of the officers and the association to the Executive Committee, together with a detailed report of the charges preferred against said officers. Said officers may appeal to the Executive Committee for a hearing on the charges preferred, after an adverse decision of the Local Relief Association. The decision of the Executive Committee with reference to the appeal shall be final.

Section 11. The Field Examiner shall report to the Executive Committee all associations who have complied with all requirements of the law and the Constitution and By-Laws of this Association who are to be so certified to the State Commissioner of Banking and Insurance.

Section 12. The Field Examiner shall, at each annual convention, submit a report giving the financial condition of each association as per their annual reports.

Section 13. It shall be the duty of the Counsel of the Association or his representative to attend all meetings of the Executive Committee and to protect the legal interest of the Association and to perform such other duties within the scope of his profession as may be assigned to him by resolution or other action of the convention or Executive Committee or when directed by the President of the Association.

Section 14. It shall be the duty of the President, Vice President, Treasurer and Secretary to manage the affairs of the office of the Association and to have full charge and power in the operation of same, and they shall be accountable to the Association and the Executive Committee for the proper operation of same. It shall be the duty of the Officers to report to the Executive Committee all violations of the laws, Constitution and By-Laws, of which they are aware and which come to their attention. Any officer who shall suppress or conceal such information shall be subject to the penalties as prescribed in Article IX.

ARTICLE VI
CONVENTION AND
EXECUTIVE COMMITTEE
MEETINGS

Section 1. The Delegates and Life Members present at the convention shall select the place or places for the next five (5) annual conventions and at each succeeding annual convention, the selection shall be made of the place for the annual convention to be held five (5) years later. The Executive Committee shall fix the dates of the annual conventions.

Section 2. The Secretary shall furnish each Local Relief Association and Exempt Association which are in accord with the State Association, credentials on which shall be recorded the names of the Delegates and Alternates elected by each of the associations. The Secretary shall also furnish when requested at the convention, credentials for the Life Members desiring to attend the convention. Only Delegates or Alternates attending in place of Delegates, whose names were recorded with the State Association, shall be entitled to attend the convention.

Section 3. The regular meetings of the Executive Committee shall meet at such times and places as may be designated by the President with the approval of the majority of the Executive Committee. There shall be no less than a ten (10) day notice and their necessary expenses shall be paid by this Association.

Section 4. The President may call special meetings of the Executive Committee when he deems same necessary by approval of the majority of the Executive Committee. There shall be no less than ten (10) days notice and their necessary expenses shall be paid by this Association. Members of the Executive Committee and/or the general membership cannot waive such notice or suspend the rules of the Association.

Section 5. Special meetings of the Executive Committee may be called by two thirds of the membership of the Executive Committee without the approval of the President. There shall be no less than ten (10) days notice and their necessary expenses shall be paid by this Association. Members of the Executive Committee cannot waive such notice or suspend the rules of the Association.

ARTICLE VII
APPOINTMENTS

Section 1. The President shall appoint annually, a Legislative Committee to consist of one member from each County who must be members of a Local Firemen's Relief Association in the County they are to represent. The First Assistant Secretary shall be appointed as chairman of the Legislative Committee.

Section 2. The President and Counsel of the State Association shall be ex-officio members of the Legislative Committee.

Section 3. The Legislative Committee shall examine all legislative matters pertaining to this Association or to firefighters in general, and shall introduce such legislation and aid in its passage as was decided on by action of the convention or Executive Committee. They shall report to the convention and to the Executive Committee and when, in their judgment, it is to the best interest of the Association. They shall also approve or disapprove any pending legislation the necessary expenses of said Committee for attending meetings and conventions shall be paid by this Association.

Section 4. The President shall appoint an Advisory Committee from the members of the Executive Committee of the State Association, along with a physician licensed by the State of New Jersey for a period of one (1) year or until their successors are appointed. Said committee shall consist of three (3) members of the Executive Committee, the Treasurer of this Association who shall also act as Secretary-Treasurer of the Committee and the Field Examiner. The Vice President and Secretary will serve as alternates.

The Advisory Committee, after appointment, shall hold a meeting thereafter as soon as possible and organize by the election of a chairman and then proceed to carry out the rules and regulations as adopted by the Executive Committee governing said Advisory Committee.

Section 5. The President shall appoint annually a Relief Fund Committee from members of the Executive Committee of the State Association for a period of one (1) year or until their successors are appointed. Said committee shall consist of three (3) members of the Executive Committee along with the Treasurer and Field Examiner of the Association. The Treasurer will also act as Secretary-Treasurer of the Relief Fund Committee. The Relief Fund Committee, after appointment, shall hold a meeting thereafter as soon as possible and organize by the election of a chairman and then proceed to carry out the rules and regulations as adopted by the Executive Committee governing Relief and Supplemental Relief Funds.

Section 6. The President shall appoint annually a Finance Committee of three (3) members who shall not be members of the Executive Committee, whose duty it shall be to examine and verify quarterly the reports of the financial officer as compared to the report of an independent Certified Public Accountant engaged by the Executive Committee and such other matters as may be referred to them in convention or otherwise.

Section 7. The President shall appoint annually a Resolution Committee consisting of five (5) members; the Chairman to be the Association Counsel to serve during the convention at which appointment was made and to which shall be referred all legal resolutions received and shall report in numerical order to the convention with their recommendations. The necessary expenses of said Committee for attending meetings and convention shall be paid by this Association.

Section 8. The President shall appoint annually a Memorial Committee consisting of five (5) members who are not members of the Executive Committee, who shall arrange a memorial at each annual convention and present suitable resolutions of condolence. The necessary expenses of said Committee for attending meetings and convention shall be paid by this Association.

Section 9. The President shall appoint annually members of the Association to act as Sergeant-at-Arms, whose duty it shall be to assist in the orderly conduct of the convention and to perform such other duties as may be assigned to them by the President. The necessary expenses of said Committee for attending meetings and convention shall be paid by this Association.

Section 10. The President for each annual convention shall appoint the following committees;

- (a) Registration Committee
- (b) Voting Committee
- (c) Badge Committee
- (d) Any other committees deemed necessary

Section 11. All officers and all members of the Standing Committees who shall be present at the convention at which they were elected or appointed, or at which their several terms of office shall expire, shall be entitled at such conventions or intermediate meetings, respectively, to the benefits of this Association to which all the Delegates and Life Members are entitled.

Section 12. The President shall appoint annually a Credential Committee whose duty it shall be to register and record all voting members at each session of the convention and count and record the results of the attendance. The necessary expenses of said Committee for attending meetings and conventions shall be paid by this Association.

Section 13. The President shall appoint annually a Committee of not more than three (3) Judges of Election. The necessary expenses of said Committee for attending meetings and conventions shall be paid by this Association.

Section 14. Payment of expenses allowed to Officers and members of any standing or special committees shall be paid from the General Relief Fund within such limitations as is decided upon by action of the Executive Committee.

Section 15. The President shall appoint three (3) members of the Executive Committee to serve on the Employee Retirement Plan Committee for terms of three (3), two (2) and one (1) year, respectively. Each succeeding appointment to be for three (3) years or remaining terms for any replacement.

Such members as are appointed, who together with the President, Field Examiner and Treasurer are to fulfill the duties of such committee under provisions mandated by the 1953 convention. The plan is to be in full compliance with Public Law number 93-406, the Employee Retirement Income Security Act of 1974.

- (a) The Plan is to be known as the “New Jersey State Firemen’s Association Employees Retirement Plan”.
- (b) Annually, after each convention, the committee shall elect a chairman who shall chair all meetings as may be mandated by the plan.
- (c) The Treasurer of the State Association by virtue of his office shall assume the duties as Secretary-Treasurer and Plan Administrator.
- (d) All checks drawn against the Retirement Plan account, shall be signed by the Chairman of the Plan Committee, along with two (2) of the following Officers: President, Vice President, or Secretary of the State Association.

Section 16. Because of the one year term and the cost of holding elections, the State Association will not permit actions to recall Elected Officers, and/or members of the Executive Committee.

ARTICLE VIII

DELEGATES TO CONVENTION

Section 1. Each duly incorporated Firemen’s Relief Association in this State which has been approved by the Executive Committee of this Association shall be entitled to send three (3) Delegates or Alternates to each Annual Convention or meeting of this Association, together with the Chief of the Department or the next highest ranking line officer, who shall serve as a delegate by virtue of the office, and one (1) Delegate or Alternate of the duly organized Exempt Association, if any. Payment of their expenses by the Local Relief Association they represent shall be made within such limitation as established by the Executive Committee.

Section 2. The regularly elected Alternates may serve as “at large” for any Delegate position with the exception of Chief or Exempt Delegate who have elected specified alternates.

Section 3. All members elected as Officers, Executive Committeemen of the New Jersey State Firemen’s Association, or members of the Board of Managers of the New Jersey Firemen’s Home, shall upon election be granted Life Membership, and any firefighters who shall have served for ten (10) convention sessions as a Delegate shall be eligible for election by the Executive Committee as Life Members of this Association and shall upon being so elected, be entitled to all convention privileges. The proceedings of the convention will be the official attendance record.

Convention Expenses shall be allowed within such limitations as established by the Executive Committee.

ARTICLE IX

ORGANIZATION OF LOCAL RELIEF ASSOCIATIONS

Section 1. Any duly organized Fire Department, Fire Company, or duly organized entity as set forth in N.J.S.A. 43:17-1 of this State doing public fire duty under municipal control may on approval of the Executive Committee organize a Local Firemen's Relief Association under such rules and regulations as may be or hereafter be required. A minimum number of seven (7) members is needed to form said local association.

Section 2. Application for the organization of a Local Relief Association must be sent to the Secretary of this Association. It shall state the number of companies in this department and the total number of active members enrolled, in accordance with the General Relief Fund Rules Article IV – Membership, date when department was organized and a certified copy of the action taken by the governmental officers controlling the fire department and such other information as is deemed necessary. The Secretary shall on receipt of application, properly completed, present same to the next meeting of the Executive Committee for their consideration. When application and form of control has been approved, the Secretary of the State Association, together with the member of the Executive Committee representing the county in which the department is located, shall proceed to organize and incorporate the proposed Local Relief Association and present the incorporation together with a complete record of the active members certified by the Governmental Entity to the next meeting of the Executive Committee for election to the State Association.

Section 3. Any company, which has three (3) or more members, may join an existing Relief Association upon compliance with all the Rules and Regulations of the State Association.

ARTICLE X

RULES OF ORDER

Section 1. All meetings and conventions of the State Association shall be conducted in accordance with *Roberts's Rules of Order*.

Section 2. The Presiding Officer shall preserve order and decorum; all questions of order shall be decided by the Presiding Officer.

Section 3. Every Delegate and Life Member, when they speak or offers a motion, shall rise in their place, giving their name, and the association they represent, and respectfully address the chair and when they have concluded, shall resume their seat. While speaking, they shall confine their selves to the question under debate, avoiding all personalities and indecorous language.

Section 4. When two (2) or more Delegates or Life Members shall rise to speak at the same time, the Presiding Officer shall name the Delegate or Life Member who shall speak first.

Section 5. A Delegate or Life Member called to order shall immediately sit down, unless permitted by the Chair to explain. The decision shall be conclusive.

Section 6. Every Delegate or Life Member shall be entitled to vote, and the President shall not vote except in case of a tie.

Section 7. No Delegate or Life Member during a session of the Association, shall leave without permission of the Presiding Officer.

Section 8. No Delegate or Life Member shall speak without permission more than twice upon the same question until every member shall have spoken that so desire.

Section 9.

FIRST SESSION

1. Call to order by the President
2. Invocation
3. Pledge of Allegiance to the Flag
 - a. National Anthem
4. Reading of Call for Convention
5. Convention Committee Appointments
 - a. Credentials Committee
 - b. Sergeant at Arms
 - c. Resolution Committee
 - d. Judges of Election
6. Introduction of Host
7. Report of Credentials Committee
8. Roll Call
9. Reading of Minutes of Last Convention
10. Communications
11. Introduction of Guests
12. Officer's Reports
 - a. Treasurer
 - b. Field Examiner
 - c. Secretary
13. President's Remarks
14. Description of the Nomination Process and Announcement of Candidates who have successfully filed petitions
 - a. President
 - b. Vice President
 - c. Treasurer
 - d. Secretary
 - e. 1st Assistant Secretary
 - f. 2nd Assistant Secretary

15. Officer of Resolutions – Discussion – Report
16. Benediction
17. Adjournment

SECOND SESSION

1. Call to order by the President
2. Invocation
3. Pledge of Allegiance to the Flag
 - a. National Anthem
4. Memorial Service
5. Committee Reports
 - a. Legislative Committee
 - b. Advisory Committee
6. Report of Standing Committee
 - a. Finance Committee
7. Report of Certified Public Accountant
8. Report of Board of Managers
9. Final Report of the Credentials Committee
10. Report of County Caucus Election Results
 - a. Announcement of the Members of the Executive Committee
 - b. Announcement of the Members of the Board of Managers
11. Report of Judge of Election
12. Unfinished Business
13. New Business
14. Selection of place for holding Convention five (5) years in advance
15. Benediction
16. Adjournment

ARTICLE XI

DISCIPLINE AND SUSPENSION

Section 1. Any member of the State Association, who shall be guilty of conduct detrimental to the best interests of the State Association and any Local Relief or Exempt Association who, through its officers or otherwise, shall be guilty of such conduct, shall be liable to discipline or suspension in accordance with N.J.S.A. 43:17-27 either by immediate action thereon, or as may be determined by recommendation of the Executive Committee. Any proceedings by the Executive Committee shall be in accordance with the standards established in N.J.S.A. 43:17-27.

- (a) Any member found guilty of theft or malfeasance against the NJSFA shall forfeit their membership in the NJSFA and any and all benefits that they or their family would be entitled too.
- (b) Any member convicted of the following N.J.S.A. Statutes, Arson and related offenses as contained in N.J.S.A.2C:17 -1, False public alarms as contained in N.J.S.A. 33-3, shall forfeit their membership in the NJSFA and any and all benefits that they or their family would be entitled too.

Section 2. When the attention of the Executive Committee is called to an alleged violation of these Articles, it may either by itself or by a sub-committee appointed by it for that purpose, investigate such alleged violation and shall report to the Executive Committee.

Section 3. Charges of a breach of these Articles shall be sent to the Executive Committee through the Secretary, by any duly accredited member of the Association or by any Local Relief or Exempt Association.

Section 4. Charges presented at any annual convention shall be referred to the Executive Committee, or to a special committee to be appointed for that purpose, and report the same in such manner as provided in Section 2 and the next annual convention.

Section 5. All such charges must be made in writing, and the individual or association therein charged shall be furnished a copy thereof.

ARTICLE XII

AMENDMENT

Section 1. This Association shall have full power to alter, amend and revise this Constitution by a two-thirds vote of the members present and entitled to vote at any convention or meeting, provided such amendment shall not be voted on unless same shall have been presented in writing to the Executive Committee on or before May 1st, preceding the annual convention, in order to provide all relief associations with copies of proposed amendments within thirty (30) days hereafter, and such proposed legal amendments, whether approved or disapproved by the Executive Committee shall be submitted with the annual report of the Executive Committee.

Amendments providing for the expenditure of funds will be declared in violation of N.J.S.A. 43:17-35 & 45 which are the sole province of the Executive Committee.

ARTICLE XIII

SEVERABILITY

If any Article or Section of this Constitution shall be adjudged by any court of competent jurisdiction to be unconstitutional or ineffective, such determination shall not affect or impair the remaining provisions but shall be confined in its operation to the provisions directly involved in the controversy in which said determination shall have been rendered.

GENERAL RELIEF FUND RULES
OF THE
NEW JERSEY STATE
FIREMEN'S ASSOCIATION

Amended: March 27, 2010

GENERAL RELIEF FUND RULES

PREAMBLE

These rules and regulations are to establish a fund to be known as “The General Relief Fund,” and a complete and sole method of the payment of benefits there from. All such benefits arise under the ACT of 1885, as amended and supplemented, N.J.S.A . 43:17-1 et seq., particularly as supplemented March 1, 1997, N.J.S.A. 43:17-35. Except as herein provided, there shall be no claim upon or disbursement of the monies of said General Relief Fund.

The fundamental and primary purpose of the State Association is to provide relief for needy firefighters, their widows or widowers and their immediate families, to further provide for payment of death or burial benefits to qualified firefighters and for the general operation of the State Association.

ARTICLE I

ADVISORY COMMITTEE

Section 1. The President of the New Jersey State Firemen’s Association shall, immediately after each annual convention, appoint a committee to be known as the Advisory Committee according to Article V, Section 4 of the Constitution, whose duties it shall be to consider and pass upon all claims filed against the General Relief Fund and all applications submitted for membership who have not met the rules and regulations of the State Association and shall have the authority to rule on those applications.

Section 2. The Advisory Committee shall organize within fifteen (15) days after its appointment by electing from among its members, a Chairman who shall serve one (1) year or until a successor is elected.

Section 3. The fiscal year of the Advisory Committee shall be from July 1st to June 30th of each year.

Section 4. The Advisory Committee shall meet at least twice each month and whenever requested by a majority of its members.

Section 5. The Advisory Committee shall have the power to demand any and all records of a Local Relief Association and its affiliated companies pertaining to membership, together with a certification of the governmental entity record whenever same is deemed necessary for inspection.

Section 6. The Advisory Committee shall report at each meeting of the Executive Committee the number of claims filed, considered, and paid since the last annual report and any other matters of interest to or called for by the Executive Committee.

Section 7. The Treasurer who is a member of the Advisory Committee, shall, on or before July 1st of each year, submit an Association budget providing for the estimated number of claims which may be filed in the next succeeding year with recommendations for the amount to be paid on each claim and related matters, also for the allotment, if and when approved, as provided in Article II, Section 3. They shall report the balance of the monies in the hands of the Treasurer, the amount to be received from the State Treasurer and the amount proposed to be raised through assessment on the collections and assets of the local associations.

Section 8. All claims approved for payment must be signed by a majority of the Advisory Committee and its findings upon any matter before it shall be binding and final but subject to appeal as hereinafter provided.

Section 9. The Chairman shall conduct all meetings of the committee, decide all tie votes and in his absence the members present shall select a temporary chairman by a majority vote, who shall assume all the powers of the chairman.

Section 10. The Secretary of the Advisory Committee shall keep the minutes of each meeting of the Advisory Committee and all notifications of death shall be forwarded to him by the Secretary of the Local Relief Association. When it is found that the deceased member is properly recorded on the master list compiled from the membership reports filed by the local association and is survived by next of kin, as described in Article VI, Section 2, the Secretary shall forward a claim blank to the local Secretary. In the event there is no next of kin surviving, an investigation form, as per Article VI, Section 2, shall be forwarded. When the claim is returned, properly executed, same shall be presented to the next meeting of the committee. In the absence of the Secretary from any meeting, another member of the Committee shall be elected to act in his place.

Section 11. The Secretary of the Advisory Committee shall report annually to the Executive Committee the total number of members who became eligible and the total number admitted, according to the membership lists filed by local associations for the preceding calendar year, as required under Article III, Section 1.

Section 12. The Treasurer of the State Association shall be the Secretary-Treasurer of the Advisory Committee, as provided in Article V, Section 4, of the Constitution. The Treasurer shall receive monies requisitioned on the General Relief Fund and make required burial payments and submit a quarterly report to the Executive Committee.

Section 13. Members of the Advisory Committee shall be compensated for attendance at meetings in such amounts as determined by the Executive Committee and shall be paid from the General Relief Fund.

ARTICLE II

EXECUTIVE COMMITTEE

Section 1. The Executive Committee may, on recommendation of the Treasurer of the State Association approve of the depositories or investment of the funds of the General Relief Fund.

Section 2. The Executive Committee may, on recommendation of the Treasurer of the State Association approve the depository named by the Advisory Committee. The Treasurer is authorized to open a checking account on which all checks for the payment of claims, approved by the committee, shall be drawn.

Section 3. The Executive Committee may, when conditions warrant, grant an allotment to be paid each Local Relief Association of record which has complied with all the rules and regulations and which has filed all required reports, in such amounts as they may determine. Said allotment shall be included in the budget of the General Relief Fund and a separate accounting thereof shall be established by the Treasurer.

Section 4. All checks or other instruments drawn on the depository having the General Relief Fund checking account, and all withdrawals from the savings accounts, shall be made only on the signature of the Treasurer and by two of the following; the President, Vice President or the Secretary of the State Association.

Section 5. The Executive Committee shall annually, by requisition of the Board of Managers of the New Jersey Firemen's Home, cause to be paid to the Treasurer thereof such sums of money in the amounts so requisitioned by the Treasurer in the amounts set forth in the annual budget of the New Jersey Firemen's Home in the amounts approved by the Governor in accordance with N.J.S.A. 54:18-7.

Section 6. The Executive Committee shall, on or before August 31st of each year, decide upon the amount of assessment necessary to be levied upon each Local Relief Association for the credit of the General Relief Fund, to provide sufficient funds to meet budget requirements, as provided in Article I, Section 7.

Section 7. The Executive Committee may, from time to time, adopt and provide forms as required for use in connection with the General Relief Fund and the Employee Retirement Fund and shall, at the close of each quarter, engage an independent Certified Public Accountant to audit the books of the State Association and who will be required to submit a quarterly report of such audit to the Executive Committee and an annual report to the convention. The cost of such audit shall be paid out of the General Relief Fund.

Section 8. Any special agreement existing prior to 1930 with any local association affecting the General Relief Fund, or record of its members, shall be considered valid.

Section 9. If any claimant or association desires to appeal from the action of the Advisory Committee on any matter before it, or from any decision or action of any Officer or Officers of this Association such appeal must be taken through the Local Relief Association and shall be heard at the next meeting of the Executive Committee, upon two (2) weeks notice to all the parties of interest. If the Local Relief Association refuses to act in the matter, then the claimant may appeal directly to the Executive Committee. No such appeal shall be heard unless the Local Relief Association has been likewise notified, whereupon the Executive Committee may proceed to determine the matter as the circumstances justify and its decision on all appeals shall be final and conclusive.

ARTICLE III

LOCAL RELIEF ASSOCIATION

Section 1. Each Local Relief Association is required to file a list of all its active members serving towards qualification stating the percentage of service rendered for the preceding year or portion thereof. The report shall also include resignations, suspensions, and other such information required and be returned to the State Office on or before February 28th of each year.

Section 2. All assessments levied against the assets of each Local Relief Association for the benefit of the General Relief Fund shall be promptly paid to the State Association Treasurer, final payment to be made within sixty (60) days after receipt of notification.

Section 3. The Secretary of the Local Relief Association shall notify the Secretary of the Advisory Committee within thirty (30) days of the death of a member, giving date of death, company of which deceased was a member, next of kin surviving, and other information required using the adopted form for this purpose.

Section 4. In the event a Local Relief Association should file a notice of death for a person whose record in the office of the Association is not in accordance with these rules and regulations, or the Local Relief Association itself has failed to comply with the laws governing relief associations, the State Association Constitution or these rules and regulations, then the Secretary of the Advisory Committee shall not furnish a claim blank but shall submit the notification to the Advisory Committee for action thereon.

Section 5. A notice filed after the expiration of one (1) year from the date of death shall be referred to the Advisory Committee for investigation as to the circumstances surrounding the same.

Section 6. Whenever an investigation is required or requested by the Advisory Committee, the Board of Trustees of the Local Relief Association shall investigate and report their findings, on forms provided by the Executive Committee, to the Board of Representatives who shall certify and forward same to the Secretary of the Advisory Committee.

Section 7. When any Local Relief Association fails to render a report, or pay an assessment, or fails to comply with the rules and regulations of the State Association within the required time, the President, Secretary, and Treasurer of such association, and the Executive Committeeman of the County, shall be notified of their delinquency.

Section 8. If no action is taken within thirty (30) days of such notice then the Executive Committeeman of the County in which the association is located shall be authorized and required to call a meeting of all members of the Local Relief Association, through the Chief of the Fire Department, at which meeting the Executive Committee member shall advise the membership present of the existing conditions.

Section 9. If the delinquency continues thirty (30) days following such meeting, the officers shall be removed forthwith and their respective offices declared vacant. The Executive Committeeman of the County in which the association is located shall be Chairman of a Committee appointed by the President of the State Firemen's Association to manage the affairs of such Local Relief Association pending its reorganization.

Section 10. The appointed committee, pursuant to Article III, Section 15 in conjunction with the Field Examiner, shall demand and receive all assets, books, records, reports, or other information required and shall conduct all business pertaining to the Local Relief Association in the same manner as would the elected officers until such time as the association is reorganized, dissolved or liquidated.

Section 11. The benefits of the member, whose record is otherwise complete, shall not be impaired during the period of reorganization, as above provided.

Section 12. The Secretary of the Local Relief Association shall be the Officer of the relief association to whom and through whom the communications between the State Association, Advisory Committee and Local Relief Association shall be transmitted and it shall be the duty of the Secretary to see that the list referred to in Section 1, of this Article, is filed as herein provided and to generally attend to the execution and filing of the claim blanks hereunder.

Section 13. Any fraudulent statements submitted in connection with the claims filed, or violation of these rules, shall be charged against the Local Relief Association. The officers thereof shall be summoned before the Executive Committee for a hearing and such action as may be justified, in accordance with the Standards as set forth in N.J.S.A. 43:17-27. Any association so involved shall be considered as suspended and out of accord until a decision is reached and no claims are to be considered in the meantime except on the approval of the Executive Committee.

- Section 14**
- (a) Failure to file reports on time shall result in no Delegates, Chief or Alternates being seated at the convention during the year the delinquency occurs.
 - (b) Exempt Delegate or their Alternate and Life Members from a Local Relief Association that did not file on time, may be seated but will not receive expenses towards the convention.
 - (c) The officers of the Local Relief Association that fails to meet the filing deadline will not be eligible to receive their expenses or salary for the year the delinquency occurs.

- (d) The Executive Committee may impose an additional penalty on any local association, the withholding of the assessment check. Statute 43:17-35 and 43:17-45 permits this to be done. The penalty was approved at the May 16, 2009 Executive Committee meeting.

(See chart on page 34)

Section 15. Any Local Relief Association which is determined to be out of accord may be subject to the following:

- (a) All local authority may cease.
- (b) All local funds may be frozen.
- (c) No delegate or alternate will be seated at the convention.
- (d) No member shall receive credit towards qualification.
- (e) Exempt Delegate or their Alternate and Life Members may be seated at the convention but will not receive expenses.

ARTICLE IV

MEMBERSHIP

Section 1. The name of the member must be recorded on the master list on file in the State Association Office in compliance with these rules and regulations.

Section 2. An eligible member, under these rules once approved for membership by a municipality and who served or shall serve as an active firefighter in a fire company under municipal control affiliated with a Local Relief Association, and subject to the physical examination provided for in Article V as follows:

- (a) Prior to March 11, 1922, and for a period not less than 84 months.
- (b) Serving on March 11, 1922, and who had not then served the required 84 months, and who thereafter performed additional service, with at least 60% of duty annually until a total of 84 months have been served.
- (c) Admitted between March 11, 1922 and October 1, 1923, was within the age limited of 18 to 45, and thereafter answered at least 60% of fire and drills annually, to which his company responded, for a period of not less than 84 months after being placed in quota.

- (d) Admitted since October 1, 1923, who was at the time of confirmation by the municipal governing body, within the age limit of 21 to 35, that is prior to the 36th birthday, and performed at least 60% of duty annually for a period of not less than 84 months after being placed in quota.
- (e) Admitted since February 14, 1970, who was at the time of confirmation by the municipal governing body, within the age limit of 21 to 40, that is prior to his 41st birthday, and performed at least 60% of duty annually for a period of not less than 84 months after being placed in quota.
- (f) Admitted since February 24, 1973, who was at the time of confirmation by the municipal governing body, within the age limit of 18 to 40, that is prior to his or her 41st birthday, and performed at least 60% of duty annually for a period of not less than 84 months after being placed in quota.
- (g) Every applicant admitted since January 1, 1987, will only be accepted if the applicant has complied with Article IV and Article V of the General Relief Fund rules and provided there is an opening in the quota of the Local Relief Association.
- (h) Every applicant admitted since June 21, 1988, will only be accepted if the applicant has complied with Article IV and Article V of the General Relief Fund Rules.
- (i) Admitted since January 1, 1998, who was at the time of confirmation by the municipal governing body, within the age limit of 18 to 45, that is prior to his or her 46th birthday, and performed at least 60% of duty for a period of not less than 84 months after being placed on the rolls of the association.
- (j) Every applicant that has been or will be admitted on the rolls and has not completed the required 84 months, effective January 1, 2010 must perform at least fifty – percent 50% of duty for a period of not less than 84 months.

Section 3. Effective May 26, 1962, when a fire company and/or department is disbanded and replaced by a fully paid company and/or department, the next of kin within our ranking of active members of the time of such change may be eligible for the maximum benefit payable according to the schedule at the time the claim is made for the time served, provided the deceased member has served at least sixty 60% of the fire duty annually for eighty-four (84) months.

Section 4. Associations shall file their annual membership percentage using one (1) of the following two (2) methods:

- (a) The association may file the members percentage on the basis of the total number of fires and drills attended by the member against the total number of fires and drills responded to by their company.

Note: The total number of allowable drills shall not exceed twenty-four (24) per year.

- (b) The association may file the members percentage on the basis of a two (2) platoon system designated as day or night. Each platoon shall consist of a twelve (12) hour shift, the hours of which shall be decided by the Local Relief Association. Percentages will be computed on the basis of the total number of fires and drills attended by the member for the day or night platoon against the total number of fires and drills responded to by their company for the day or night platoon.

Section 5. Where a Local Relief Association has failed to record the service of the individual member prior to 1932, whose record is otherwise complete, the officers of the Local Relief Association may certify, under oath, on forms provided by the Executive Committee, as to whether the member has performed sixty (60%) of duty annually.

Section 6. Military leave – restoration to membership.

- (a) Members will be granted military leave and will be restored to active membership in accordance with 38 United States Code 4312 et seq.
- (b) Members who enter active duty in the Armed Forces of the United States and request a military leave, shall be restored to the active membership as if such person had been an active member continuously from the time of such person's entering the Armed Forces, until the time of such person's return to fire service and to the Local Relief Association, subject to the time limitation in sub-paragraph (c) below.
- (c) A member is entitled to be restored to active membership with full credit, if the total of such person's military service does not exceed five (5) years providing the member returns to the Local Relief Association. If the service is in excess of five (5) years and at the request of the Federal Government, the extension shall be granted. Proper documentation must be submitted to the Local Relief Association for any extension upon the members return.

Section 7. Active members are entitled to receive leave of absence, which shall not exceed more than one (1) year, on account of sickness or absence from the municipality; however no credit shall be allowed during the time granted for such leave and his or her status shall not be changed. During any leave granted, the member's name shall remain on the active roll of the company. The time when such leave was granted, as well as reinstatement, must be reported on Maintenance Form #108.

Section 8. Any member who leaves a Local Relief Association before serving the required eighty-four (84) months must join another Local Relief Association within ninety (90) days of leaving, subject however to the physical examination as set forth in Article V. In the event that the criteria above is met, then all prior years shall be credited to him/her towards attainment of the eighty-four (84) months requirement.

Section 9. The date of admittance of any member is to be recorded as of the date received and approved in the State Office. The physical application will be valid for a period of one hundred eighty (180) days from date of physical.

Section 10. A member of a municipal fire department or fire company who desires to partake in the activities of a Local Relief Association, must join and become a member of an organization set forth in N.J.S.A. 43:17-1 et seq., which is organized and under the control of the municipal governing body or Board of Fire Commissioners.

ARTICLE V

PHYSICAL EXAMINATION

Section 1. A member joining a fire company or fire department since October 1, 1932, has been, is and shall be required to demonstrate that he or she can perform the duties of a firefighter successfully and complete all drill requirements, and governmental entity, state or PEOSHA fire requirements and not be a danger either to himself or others.

Section 2. Where a member served at least eighty-four (84) months prior to August 2, 1952, but failed to file a doctor's certificate, and has since filed in the State Association Office the "Application for Membership", completed and signed and attested by the signature of the officers of the Local Relief Association, except that the portion entitled "Physical Test Record" shall not be required, or signed by the Examiner, provided such member's record is otherwise complete and in accordance with the General Relief Fund rules, he or she shall be so recorded as eligible on the Master List and the local association notified accordingly.

Section 3. Where a member was admitted after October 1, 1923, and as of December 31, 1952, had not served eighty-four (84) months in the quota and had failed to file his or her application and doctor's certificate, he or she shall be required to file an "Application for Membership" complete with doctor's report and date of confirmation by the municipal governing body, properly signed, as required. No credit shall be given such member for service after December 31, 1952, until said application is filed, but his or her quota status

shall not be affected in the meantime. Any member elected after January 1, 1953, shall not be recorded as a member of credited with service in the records under the General Relief Fund rules until a complete application is received and approved by the State Association.

Section 4. The physical examination shall consist of the following Medical Guidelines that are to be followed by a physician licensed in the State of New Jersey when examining an applicant for membership. The date of the original physical examination is acceptable up to one hundred eighty (180) days.

1. AGE: Must be at least eighteen (18) years of age and not older than forty-five (45) years of age.
2. EYES: Must be at least 20/30 or corrected.
3. HEARING: Loss of hearing acuity so as to be unable to perceive sounds within normal voice range with or without hearing aid.
4. NOSE: Any significant nasal obstruction to free breathing not subject to correction by surgery.
5. MOUTH: Conditions which impair ability to communicate.
6. NECK: Problems resulting from (a) Goiter; (b) Limited range of motion; which prohibits turning, extension or free movement of the neck; (c) Tracheotomy-existing openings at the lower portion of the neck connecting the windpipe to the outside environment for the purpose of easy breathing.
7. PULMONARY: Problems resulting from loss or removal of a lung; any Pulmonary disorder which would limit the applicants ability to perform (a) Pulmonary Function test below normal. (b) Chronic Obstructive Pulmonary Disease/Asthma.
8. CARDIO PULMONARY SYSTEM: Problems resulting from Heart Disease or Cardiomegaly.
9. PERIPHERAL VASCULAR SYSTEM: Problems resulting from (a) Varicose veins; (b) Aneurysms; (c) Lymphedema; (d) Thrombophlebitis; (e) Arteriosclerosis Obliterans; (f) Buerger's Disease; (g) Reynaud's Disease; (h) Arterio-Venous Fistula; (i) High Blood pressure, not able to be corrected or controlled by medication. Acceptable blood pressure reading should be as follows: Systolic not higher than 150 but not lower than 90 Diastolic maximum should be 100 mmhg, minimum is 50 mmhg.
10. ABDOMEN: Problems resulting, from (a) Organomegaly; (b) Signs of tenderness in an area; (c) Presence of masses such as hernias of various types.

11. GENITOURINARY SYSTEM: Problems arising from (a) Presence of abnormal masses; (b) Abnormal discharges from any of the orifices; (c) Active venereal diseases; (d) Parasitic diseases; (e) Varicocele and Varices; (f) Hydrocele.
12. MUSCULO-SKELETAL SYSTEM: Problems arising from (a) Congenial mal formation; (b) Limitation of motion; (c) Weakness; (d) Impairment or absence of one or more of the digits on either or both hands; (e) Impairment of function of the hands; (f) Missing toes if it interferes with ambulation; (g) Deformities of the spine, pelvis or extremities.
13. OTHERS: Problems arising from (a) Disqualification for psychiatric conditions must be determined by local agencies; (b) Allergic conditions which are chronic and incapacitating; (c) Severe anemia; (d) Active peptic ulcer; (e) Diabetes; (f) History of epilepsy or seizures other than documented febrile convulsions in childhood; (g) Alcoholism or drug addiction; (h) Removal of vital organs; (i) Any other condition not listed above which would render the eligible incapable of performing his duties as a firefighter.

ARTICLE VI

BURIAL CLAIMS

Section 1. All claims against the General Relief Fund must be on approved forms, complete in every detail and returned to the Secretary of the Advisory Committee within ninety (90) days after the same were forwarded, and if not so returned shall, upon notice to the Secretary of the Local Relief Association and the Executive Committeeman of the County, be considered as no claim.

Section 2. Effective March 27, 2010, an approved claim shall be paid, as determined by the Advisory Committee, to the surviving spouse, civil union partner or domestic partner, children, father and/or mother, caregiver and/or funeral home.

In the event that the relationship set forth are deceased at the time of the claim herein is filed the said claim shall be submitted to the Local Relief Association who shall investigate said claim and they shall determine if the claim should be allowed and if so, to whom the funds should be disbursed. The Local Relief Association shall thereafter submit the results of its investigation to the Advisory Committee.

Section 3. When an active member duly admitted serves in accordance with these rules and regulations and dies before serving the required eighty-four (84) months, a claim may be filed and payment shall be made in accordance with the then effective payments schedule at the time of death. A member who leaves before serving the required eighty-four (84) months, shall not be eligible.

Section 4. A claim for the maximum benefit may be filed where death was the result of injuries received while responding to an official fire alarm or drill, or where the injuries are so disabling as to prevent the member from completing the required time to become eligible, under the following conditions:

- (a) The member must have been reported to the State Association Office on the membership application, covering the date of his or her acceptance and the physical record of the member must be on file in the State Association Office.
- (b) No restrictions are to be enforced as to time served.
- (c) Report of death to be accompanied by a death certificate.
- (d) If injury results in disability, the report of the attending physician giving full description of the extent of the injuries and the probable duration of his or her disability, must be filed within ninety (90) days of becoming totally disabled for consideration of the Advisory Committee and recommendation to the Executive Committee.

Section 5. If the surviving spouse, civil union partner, or domestic partner was living with his or her spouse, civil union partner, or domestic partner, at the time of death, she or he shall be the sole claimant.

Section 6. If the surviving spouse, civil union partner, or domestic partner was living separately, and maintaining a separate residence from his or her spouse, civil union partner or domestic partner, at the time of death, payment shall be made in accordance with Article VI, Section 2,

Section 7. If two or more children of legal age survive the deceased, they are required to sign a Power of Attorney appointing one to become claimant and who is entitled to receive the amount payable.

Section 8. In the event that a disagreement exists among the children survivors of the deceased, the Board of Trustee of the Local Relief Association, as provided in Article III, Section 6, shall investigate and make recommendations to the Advisory Committee. Then the Advisory Committee shall have the power to allocate such portion of the benefit in payment of same, otherwise an equal distribution of the benefit shall be made to each of the children.

Section 9. In the event there remain minor children, the Board of Trustees as provided in Article III, Section 6, shall investigate and make recommendations to the Advisory Committee.

Section 10. If the benefit is payable to children of the deceased firefighter, some of whom are of age and others minors, those of age may receive their pro rata share of the benefit and the balance of said benefit, representing the pro rata share of the minors may be paid to their duly appointed guardian.

Section 11. In the event deceased leaves no next of kin within our ranking, investigation on forms provided by the Executive Committee shall be made by the Board of Trustees of the Local Relief Association, as provided in Article III, Section 6, to determine if the estate is sufficient to cover the expenses at the time of death and who has paid the expenses of burial and doctor's fees and in what amount. In the event the estate is sufficient to cover expenses, there shall be no claim.

Section 12. If the claimant, under Section 2, although living at the date of death of the firefighter dies before the claim is authorized for payment by the Advisory Committee, payment shall be made to the person or persons next eligible as though the original claimant had not survived the decedent or made claim for said payment.

Section 13. If the eligible claimant under Section 2, be incompetent, payment shall be made only to a legally appointed guardian.

Section 14. An eligible claimant may waive his or her right to the burial claim in which case payment in accordance to Article VI, Section 2, will be made.

Section 15. No claim by a common law wife or common law husband, so-called, will be recognized as a claim by a surviving spouse as set forth in Section 2.

Section 16. (a) When a member duly admitted and serving in accordance with these rules and regulations dies as a result of injuries received while performing Public Fire Duty and responding as a member of an affiliated Fire Department or Fire Company in or outside the State of New Jersey, a claim for triple the amount to be paid may be filed where death was the result of responding to, at, or returning from an alarm or until the Company is back in service.

(b) When a member duly admitted and serving in accordance with these rules and regulations die while serving in hostile military action serving in the Armed Forces of the United States, a claim for triple the amount for the burial benefit may be filed.

(c) Any claims filed for triple the amount under Article VI, Section 16 (a) and Section 16 (b), that have been previously reviewed and rejected and/or placed on hold by the Advisory Committee, will be reconsidered upon approval and payment of Public Safety Officer Benefits (PSOB) and Hometown Heroes Act of 2003 benefits.

Section 17. If any claimant desires to appeal the decision of the Advisory Committee on any matter, such appeal must be made through the Local Relief Association to the Executive Committee and shall be heard at the next meeting of the Executive Committee upon two weeks notice to all the parties in interest. If the Local Relief Association refuses to act on the matter, then the claimant may appeal directly to the Executive Committee. No such appeal shall be heard unless the Local Relief Association has been likewise notified, whereupon the Executive Committee may proceed to determine the matter as the circumstances justify and its decision on all appeals shall be final and conclusive.

Section 18. After the rejection of a claim by the Advisory Committee and the Executive Committee, if an appeal be taken thereto, no Local Relief Association shall pay the funeral expenses of said deceased firefighter from its own funds and the officers and representatives of any association authorizing or making such payment shall be held personally liable therefore.

Section 19. The money accruing from the General Relief Fund does not become a part of an estate of a deceased firefighter and is not subject to provisions of a Will executed before decease, or to the Laws of Administration in the case of Intestacy. Neither shall the same be the subject to assignment or pledge to any person or corporation or otherwise by the deceased firefighter or by the person entitled to payment before payment is actually made. Payment shall be made only as provided in these rules.

ARTICLE VII

FINANCIAL RELIEF ASSISTANCE

Section 1. Provisions in N.J.S.A. 43:17-3 permits the funds of any Local Firemen’s Relief Association incorporated under this article to be used for firefighters and their immediate family with a proven need for financial assistance. Such payments are not to be considered automatic.

- (a) Eligibility is restricted to any firefighter on local association current membership list having a line number and a service code other than those not eligible (Double XX) not only during their lives, but after their death, in accordance with such reasonable rules and regulations as the Executive Committee of the New Jersey State Firemen’s Association may from time to time establish, alter, amend and supplement. Members with a (Z) designation are eligible for benefits during their lifetime only.
- (b) Qualifications of need are those established by the Executive Committee and defined under Article VII, Section 3 of the Local Relief By-Laws.

Section 2. Financial Relief Assistance shall be judged on need and must be by application fully executed using Forms 101, 102 and 113.

Section 3. Financial Relief Assistance shall be governed by the “Relief Assistance Scale” for maximum allowable payments to an individual in any calendar year. (See scale in the By-Laws of Local Firemen’s Relief Associations.)

Section 4. Yearly following the audit of each local association’s financial report, any change in assets affecting the current permissible payment scale will be authorized with notification letter to the secretary and treasurer and will become effective January 1st of the following year of the audited reporting year.

GLOSSARY:

ALL NOUNS AND PRONOUNS IN THE MASCULINE GENDER UTILIZED IN THIS BOOKLET SHALL BE CONSTRUED TO INCLUDE THE FEMALE GENDER.

**FORMS AVAILABLE
FROM THE STATE ASSOCIATION OFFICE
FOR FILING REPORTS**

A. ADMINISTRATIVE FORMS – Local Associations

<u>Form Number</u>	<u>Form Description</u>
100	Membership Application
100A	Physical Examination Guidelines
101	Application for Local Relief
101-A	Rules and Guidelines Governing Form 101
101-B	Instructions for Investigation Form 101
102	Application for Supplementary Relief
102-A	Rules and Guidelines Governing Form 102
102-B	Instructions for Investigation Form 102
103	Local Relief Officers Listing Report
104	Notice of Delegates and Alternates Elected
105	Notice of Exempt Delegate and Alternate Elected
106	Delegate Expense Voucher
107	Life Member Expense Voucher
108	Maintenance Form
109	Active Firemen’s Membership Report-Initial
109-A	Active Firemen’s Membership Report-Final
110	Quarterly Local Relief
113	Application for Special Relief/Rules and Guidelines
114	Application for Health Care

B. FINANCIAL REPORTS – Local Associations

<u>Form Number</u>	<u>Form Description</u>
200	Financial Forms – (Sets)

C. BURIAL FORMS – Local Associations

<u>Form Number</u>	<u>Form Description</u>
300	Notice of Death
301	Proof of Claim
302	Proof of Claim (Power of Attorney)
303	Report of Investigation

ARTICLE III SECTION 14

Form No.	Compendium Referral	Responsible Officers	Signatures Required	Date mailed from State Office Week of	File on Line	Date due in State Office
Officers Listing	103	None	Secretary	December 1st	Yes	February 1st
Financial Report	200	43:17-31 (a) Page 12 Article V (c) Section 6, Page 6	Treasurer	December 1st	Yes	February 20th HARD COPY REQUIRED
Membership Report	109	Article III (b) Section 1 Page 23	Secretary	January 1st	Yes	February 28th HARD COPY REQUIRED
Convention Delegates (from Relief Association)	104	43:17-42 (a) Page 16 Article VI (b) Sections 1, 2 Page 12 Article V (c), Sec 9, Pg 6	Secretary	December 1st	Yes	May 1st
Convention Delegate (from Exempt Association)	105	43:17-43 (a) Page 16 Article VI (b) Sections 1, 2 Page 12 Article V (c), Sec 9, Pg 6	Secretary	December 1st	Yes	May 1st
Delegates & Life Members Expense Vouchers	106 107	43:17-35	Secretary	End of June	No	November 1st HARD COPY REQUIRED
Quarterly Local Relief Paid	110	43:17-35	Treasurer	None	Yes	Apr 30, July 30 Oct 30, Jan 30

- (a) Revised Statutes Title 43 Chapter 17 (White)
 (b) Constitution and by-laws / General Fund Rules (Gray)
 (c) By-laws of Local Firemen's Relief Association (Magenta)

Note: Hard Copy Required reports must be returned to the State Office via Return Receipt. Reports must be received in the State Office or Postmarked before midnight of the due date.

*** FAILURE TO FILE REPORTS ON TIME WILL RESULT IN NO DELEGATES BEING SEATED AT THE CONVENTION DURING THE YEAR THE DELINQUENCY OCCURS. LIFE MEMBERS MAY BE SEATED BUT WILL NOT RECEIVE CONVENTION ALLOWANCE. OFFICERS WILL NOT RECEIVE EXPENSES OR SALARY FOR THAT YEAR ALSO, POSSIBLE LOSS OF ASSESSMENT FUNDING PER STATE STATUTES 43:17-45 and 43:17-47.**

Revised 7/2016