

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 2759

STATE OF NEW JERSEY

ADOPTED DECEMBER 18, 1997

Sponsored by Assemblymen BLEE, DALTON, LeFevre, R. Smith,
Assemblywoman Turner, Assemblymen Roberts, Zisa,
Assemblywoman Weinberg, Assemblymen Bucco and Suliga

1 AN ACT concerning retirement benefits for certain municipal
2 emergency services volunteers, supplementing Title 40 of the
3 Revised Statutes and amending P.L.1976, c.68, P.L.1977, c.381,
4 P.L.1979, c.453, and P.L.1985, c.288.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. (New section) Sections 1 through 11 of this act shall be known
10 and may be cited as the "Emergency Services Volunteer Length of
11 Service Award Program Act."

12
13 2. (New section) For the purposes of this act:

14 "Active volunteer member" means a person who has been so
15 designated by the governing board of a duly created emergency service
16 organization and who is faithfully and actually performing volunteer
17 service in that organization.

18 "Certification list" means a list prepared annually by an emergency
19 service organization certifying to a governing body the names of
20 members who have qualified to receive a length of service award.

21 "Director" means the Director of the Division of Local
22 Government Services in the Department of Community Affairs.

23 "Emergency service organization" means a fire or first aid
24 organization, whether organized as a volunteer fire company,
25 volunteer fire department, fire district or duly incorporated volunteer
26 first aid, emergency or volunteer ambulance or rescue squad
27 association.

28 "Elected or appointed position" means a line officer, department
29 or company officer, trustee of an emergency services organization, or
30 a duly established position in a municipality as determined by the
31 governing body of the municipality.

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

Matter underlined thus is new matter.

1 "Length of service award program" means a system established to
2 provide tax-deferred income benefits to active volunteer members of
3 an emergency service organization by means of investment in those
4 products permitted pursuant to subsection a. of section 3 of P.L.1977,
5 c.381 (C.43:15B-3).

6 "Local government unit" means any municipality, county, or fire
7 district having control of, or which is serviced by, a volunteer fire
8 department, duly incorporated fire or first aid company, or volunteer
9 emergency, ambulance or rescue squad association or organization.

10 "Participant" means an active volunteer member who is eligible for
11 a benefit under a service award program.

12 "Sponsoring agency" means any local government unit which duly
13 adopts a length of service award program pursuant to the provisions
14 of this act.

15 "Year of active emergency service" means a 12-month period
16 during which an active volunteer member participates in the fire or
17 first aid service and satisfies the minimum requirements of
18 participation established by the sponsoring agency on a consistent and
19 uniform basis.

20

21 3. (New section) a. A local government unit that is a county or
22 municipality in which a fire district does not exist may by ordinance
23 establish or terminate a length of service award program for the active
24 volunteer members of the emergency service organizations operating
25 under the county's or municipality's jurisdiction.

26 b. The board of fire commissioners of any fire district may by
27 resolution establish or terminate a length of service award program for
28 the active volunteer members of the emergency service organizations
29 operating under the district's jurisdiction.

30 c. No such ordinance or resolution shall take effect until it is
31 presented as a public question, for a municipality or county at the next
32 general election, and for a fire district at the next annual election, and
33 ratified by the voters. Each such ordinance or resolution shall be
34 adopted by the governing body or the board of fire commissioners no
35 less than 60 days prior to the election at which such question is
36 presented for ratification.

37 d. In addition to any other procedures provided by law, every
38 ordinance or resolution creating a length of service award program
39 shall include:

40 (1) A general description of the program;

41 (2) A statement of the proposed estimated total amount to be
42 budgeted for the program;

43 (3) A statement of the proposed maximum annual contribution for
44 an active volunteer member;

45 (4) If the proposed program authorizes the crediting of prior year
46 service, a statement of the number of prior years of service available

1 for crediting for each active volunteer member; and

2 (5). Any such other provisions as may be reasonably required by
3 the director to carry out the purposes of this act.

4 e. No ordinance, resolution or public question related to a length
5 of service award program shall require prior approval of the director.

6 f. Subsequent to the adoption of a length of service award
7 program as provided in this section, the maximum annual contribution
8 may be increased, from time to time, without public hearing or public
9 question, provided such increased contribution does not exceed a
10 number calculated by multiplying the original contribution as approved
11 by public question by the consumer price index factor. As used in this
12 section "consumer price index factor" means a fraction the
13 denominator of which shall be the "Revised Consumers Price Index-All
14 Items, Philadelphia Area (1967-100)" (the "CPI") published by the
15 Bureau of Labor Statistics of the United States Department of Labor
16 for the month in which the length of service award program passes
17 public question and whose numerator shall be the CPI for the most
18 recent month available at the time the increased contribution or benefit
19 takes effect. If the publication of the CPI is discontinued, the director
20 shall issue regulations pursuant to the "Administrative Procedures
21 Act," P.L.1968, c.410 (C.52:14B-1 et seq.) setting forth such revisions
22 in the method of computation of the consumer price index factor as the
23 circumstances require to carry out the purposes of this subsection.
24 Except as otherwise provided in this act, all other material changes to
25 a length of service award program subsequent to its adoption shall be
26 effected without public question but by ordinance or by resolution
27 subject to public hearing, as appropriate to the sponsoring agency.

28 g. Any amounts appropriated annually for a length of service
29 award program shall be included in the budget of the local government
30 unit as a separate line item. In the case of a fire district, the budget to
31 be voted on at the time of the public question to establish a length of
32 service award program shall include the first year's appropriation for
33 funding such program, which appropriation, if the public question is
34 defeated, shall be removed from the budget. In the case of a
35 municipality or county, appropriations for length of service award
36 programs shall commence with the budget immediately following
37 enactment of such program.

38 h. No length of service award program shall be adopted by any
39 local government unit other than pursuant to this act.

40

41 4. (New section) Length of service award programs shall be
42 established as defined contribution programs and shall be subject to
43 the provisions of this act. Length of service award programs shall be
44 based on applicable features of deferred compensation plans adopted
45 by local government units pursuant to P.L.1977, c.381 (C.43:15B-1
46 et seq.), in reference to which the local government unit shall be

1 treated as an "employer" as defined in that law, length of service
2 award contributions by a sponsoring agency shall be treated as
3 "deferred salary" as defined in that law, and the active volunteer
4 members shall be treated as "participants" as defined in that law. If
5 applicable, a length of service award program shall also be
6 administered in compliance with provisions of the federal Internal
7 Revenue Code for such programs and the provisions of this act.

8
9 5. (New section) A length of service award program established
10 by a local government unit pursuant to section 3 of
11 P. L. , c. (C.)(now pending before the Legislature as this
12 bill) may be abolished or amended in the same manner as it was
13 created. However, any such amendment or abolition shall be by a two-
14 thirds vote of the full membership of the governing body of the local
15 government unit. All accumulated proceeds shall remain in trust for
16 the volunteer members.

17
18 6. (New section) No emergency service organization shall be
19 required to provide a length of service award for its active volunteer
20 members pursuant to the provisions of this act. Any length of service
21 award provided to an active volunteer member shall be governed by
22 the provisions of this act. No length of service award program shall
23 be provided under the provisions of this act unless the following
24 requirements are met:

25 a. An active volunteer member shall be eligible to participate in a
26 length of service award program immediately upon the commencement
27 of the active volunteer member's performance of active emergency
28 services in any emergency service organization, and shall be eligible to
29 vest in any length of service award program provided under the
30 provisions of this act if the active volunteer member has completed at
31 least five years of emergency service in any emergency service
32 organization in the State.

33 b. Under a length of service award program, a year of active
34 emergency service commencing after the establishment of the program
35 shall be credited for each calendar year in which an active volunteer
36 member accumulates a number of points that are granted in accordance
37 with a schedule adopted by the sponsoring agency. The program shall
38 provide that points shall be granted for activities designated by the
39 sponsoring agency, which activities may include the following:

40 (1) Training courses;

41 (2) Drills;

42 (3) Sleep-in or standby. A "standby" means line of duty activity of
43 the volunteer fire company, lasting for four hours, not falling under
44 one of the other categories;

45 (4) Completion of a one-year elected or appointed position in the
46 organization;

- 1 (5) Election as a delegate to an emergency service convention;
- 2 (6) Attendance at official meetings of the sponsoring agency;
- 3 (7) Participation in emergency responses; or
- 4 (8) Miscellaneous activities including participation in inspections
- 5 and other non-emergency fire, first aid or rescue activities not
- 6 otherwise listed.

7 c. If provided for in the enabling ordinance or resolution adopted
8 pursuant to section 3 of P.L. , c. (C.)(now pending before the
9 Legislature as this bill), a length of service award program may
10 provide for the crediting of not more than 10 years of active
11 emergency service periods prior to the establishment of such a
12 program. Such credit may be granted to the active volunteer over as
13 many years as deemed appropriate by the sponsoring agency, except
14 that the total amount contributed in any one year shall not exceed the
15 maximum amount allowed by law to be contributed by a sponsoring
16 agency.

17 d. To provide credit for service prior to the establishment of the
18 service award program, pursuant to subsection c. of this section, each
19 sponsoring agency shall review the prior membership rosters of the
20 emergency service organizations subject to the program to determine
21 the number of years' credit for each participant who is entitled to
22 credit. In making the analysis, the standards for active service set forth
23 in subsection b. of this section and adopted by the sponsoring agency
24 shall be used. The amount of the contribution provided to participants
25 for past service may differ from the amount of the current contribution
26 provided for under the plan. The definition of years of active
27 emergency service shall be determined by the bylaws of the
28 participating emergency service organization at the time service was
29 earned. Approval for such prior service shall require certification by
30 the duly designated persons, as determined and defined by the
31 sponsoring agency of the participating emergency service organization.
32 If an active volunteer member requests credit for service in more than
33 one volunteer participating emergency service organization, each such
34 emergency service organization shall provide a certification for the
35 appropriate number of years. That credit may be awarded at the
36 discretion of the sponsoring agency of the plan in which the volunteer
37 member seeks to apply the credit. In no event, however, shall a
38 participant be credited for the same year of active emergency service
39 in more than one service award program.

40 e. In computing credit for those active volunteer members who
41 also serve as paid employees within a local government unit of the
42 State, credit shall not be given for activities performed during the
43 individual's regularly assigned work periods.

44 f. An active volunteer member whose name does not appear on the
45 approved certification list or who is denied credit for service prior to
46 the establishment of the service award program may appeal within 30

1 days of posting of the list or within 30 days of denial of past service
2 credit. The appeal shall be in writing and mailed to the clerk or
3 secretary of the governing body of that local government unit, which
4 shall investigate the appeal. The decision of a participating emergency
5 service organization shall be subject to appropriate judicial review.

6
7 7. (New section) a. Each active volunteer member's service
8 award shall be subject to contribution requirements set forth in this
9 section. In determining whether contribution requirements have been
10 satisfied, all benefits provided under all service award programs
11 instituted by a sponsoring agency shall be considered as one program.
12 A program adopted by a sponsoring agency shall set contributions
13 within these requirements.

14 b. A program shall have minimum and maximum contribution
15 requirements as follows: the minimum contribution for each
16 participating active volunteer member shall be \$100 per year of active
17 emergency service; and the maximum contribution for each active
18 volunteer member shall be \$1,150 per year of active emergency
19 service, subject, however, to periodic increases permitted pursuant to
20 subsection f. of section 3 of P.L. , c. (C.) (now pending before
21 the Legislature as this bill).

22
23 8. (New section) Each participating emergency service
24 organization shall maintain all required records on forms prescribed by
25 the requirements of the service award program.

26
27 9. (New section) Each participating emergency service
28 organization shall furnish to the sponsoring agency an annual
29 certification list, certified under oath, of all volunteer members, which
30 shall identify those active volunteer members who have qualified for
31 credit under the award program for the previous year. This list shall
32 be submitted annually. Notwithstanding the provisions of this section,
33 a volunteer member may request that the member's name be deleted
34 from the list as a participant in the length of service award program.
35 A request for deletion shall be in writing and shall remain effective
36 until withdrawn in the same manner.

37
38 10. (New section) The sponsoring agency shall review the annual
39 certification list of each participating emergency service organization
40 and approve the final annual certification. The approved list of active
41 certified volunteer members shall then be returned to each
42 participating emergency service organization and posted for at least 30
43 days for review by members. The emergency service organization shall
44 provide any information concerning the annual certification list that the
45 sponsoring agency shall require as part of its review.

1 11. (New section) Any length of service award program that
2 involves any form of insurance or annuity program in existence prior
3 to the effective date of this act is deemed valid in all respects, and may
4 continue to operate subject to the following conditions:

5 a. That the director be notified of the existence of the program and
6 its benefits within 60 days of the effective date of this act;

7 b. That within 180 days of being notified by the director to do so,
8 the sponsoring agency shall file with the director documentation that
9 demonstrates its program has been brought into compliance this act,
10 provided, however that such sponsoring agency need not comply with
11 subsection c. of section 3 of P.L. , c. (C.) (now pending
12 before the Legislature as this bill), and further provided, however, that
13 any existing defined benefit annuity programs may be continued, but
14 only with benefit levels whereby participants who vested prior to the
15 effective date of P.L. , c. (C.)(now pending before the
16 Legislature as this bill) with benefits in excess of \$750 per month shall
17 not receive or be entitled to benefits in excess of the benefits level in
18 existence as of the effective date of P.L. , c. (C.)(now pending
19 before the Legislature as this bill), and participants who vest
20 subsequent to the effective date of P.L. , c. (C.)(now pending
21 before the Legislature as this bill) shall not receive a benefit in excess
22 of \$750 per month which level may be adjusted by the means provided
23 in subsection f. of section 3 of P.L. , c. (C.)(now pending before
24 the Legislature as this bill); and

25 c. Any benefit vested in a participant of a length of service award
26 program prior to the effective date of this act shall be exempt from the
27 contribution and benefit limitations of sections 4 and 7 of P.L. , c.
28 (C.) (now pending before the Legislature as this bill) and shall be
29 deemed valid in all respects from program inception.

30
31 12. Section 3 of P.L.1976, c.68 (C.40A:4-45.3) is amended to read
32 as follows:

33 3. In the preparation of its budget a municipality shall limit any
34 increase in said budget to 5% or the index rate, whichever is less, over
35 the previous year's final appropriations subject to the following
36 exceptions:

37 a. (Deleted by amendment, P.L.1990, c.89.)

38 b. Capital expenditures, including appropriations for current
39 capital expenditures, whether in the capital improvement fund or as a
40 component of a line item elsewhere in the budget, provided that any
41 such current capital expenditure would be otherwise bondable under
42 the requirements of N.J.S.40A:2-21 and 40A:2-22;

43 c. (1) An increase based upon emergency temporary appropriations
44 made pursuant to N.J.S.40A:4-20 to meet an urgent situation or event
45 which immediately endangers the health, safety or property of the
46 residents of the municipality, and over which the governing body had

1 no control and for which it could not plan and emergency
2 appropriations made pursuant to N.J.S.40A:4-46. Emergency
3 temporary appropriations and emergency appropriations shall be
4 approved by at least two-thirds of the governing body and by the
5 Director of the Division of Local Government Services, and shall not
6 exceed in the aggregate 3% of the previous year's final current
7 operating appropriations.

8 (2) (Deleted by amendment, P.L.1990, c.89.)

9 The approval procedure in this subsection shall not apply to
10 appropriations adopted for a purpose referred to in subsection d. or j.
11 below;

12 d. All debt service, including that of a Type I school district;

13 e. Upon the approval of the Local Finance Board in the Division
14 of Local Government Services, amounts required for funding a
15 preceding year's deficit;

16 f. Amounts reserved for uncollected taxes;

17 g. (Deleted by amendment, P.L.1990, c.89.)

18 h. Expenditure of amounts derived from new or increased
19 construction, housing, health or fire safety inspection or other service
20 fees imposed by State law, rule or regulation or by local ordinance;

21 i. Any amount approved by any referendum;

22 j. Amounts required to be paid pursuant to (1) any contract with
23 respect to use, service or provision of any project, facility or public
24 improvement for water, sewerage, parking, senior citizen housing or
25 any similar purpose, or payments on account of debt service therefor,
26 between a municipality and any other municipality, county, school or
27 other district, agency, authority, commission, instrumentality, public
28 corporation, body corporate and politic or political subdivision of this
29 State; (2) the provisions of article 9 of P.L.1968, c.404 (C.13:17-60
30 through 13:17-76) by a constituent municipality to the intermunicipal
31 account; (3) any lease of a facility owned by a county improvement
32 authority when the lease payment represents the proportionate amount
33 necessary to amortize the debt incurred by the authority in providing
34 the facility which is leased, in whole or in part; and (4) any repayments
35 under a loan agreement entered into in accordance with the provisions
36 of section 5 of P.L.1992, c.89.

37 k. (Deleted by amendment, P.L.1987, c.74.)

38 l. Appropriations of federal, county, independent authority or
39 State funds, or by grants from private parties or nonprofit
40 organizations for a specific purpose, and amounts received or to be
41 received from such sources in reimbursement for local expenditures.
42 If a municipality provides matching funds in order to receive the
43 federal, county, independent authority or State funds, or the grants
44 from private parties or nonprofit organizations for a specific purpose,
45 the amount of the match which is required by law or agreement to be
46 provided by the municipality shall be excepted;

- 1 m. (Deleted by amendment, P.L.1987, c.74.)
- 2 n. (Deleted by amendment, P.L.1987, c.74.)
- 3 o. (Deleted by amendment, P.L.1990, c.89.)
- 4 p. (Deleted by amendment, P.L.1987, c.74.)
- 5 q. (Deleted by amendment, P.L.1990, c.89.)
- 6 r. Amounts expended to fund a free public library established
- 7 pursuant to the provisions of R.S.40:54-1 through 40:54-29, inclusive;
- 8 s. (Deleted by amendment, P.L.1990, c.89.)
- 9 t. Amounts expended in preparing and implementing a housing
- 10 element and fair share plan pursuant to the provisions of P.L.1985,
- 11 c.222 (C.52:27D-301 et al.) and any amounts received by a
- 12 municipality under a regional contribution agreement pursuant to
- 13 section 12 of that act;
- 14 u. Amounts expended to meet the standards established pursuant
- 15 to the "New Jersey Public Employees' Occupational Safety and Health
- 16 Act," P.L.1983, c.516 (C.34:6A-25 et seq.);
- 17 v. (Deleted by amendment, P.L.1990, c.89.)
- 18 w. Amounts appropriated for expenditures resulting from the
- 19 impact of a hazardous waste facility as described in subsection c. of
- 20 section 32 of P.L.1981, c.279 (C.13:1E-80);
- 21 x. Amounts expended to aid privately owned libraries and reading
- 22 rooms, pursuant to R.S.40:54-35;
- 23 y. (Deleted by amendment, P.L.1990, c.89.)
- 24 z. (Deleted by amendment, P.L.1990, c.89.)
- 25 aa. Extraordinary expenses, approved by the Local Finance Board,
- 26 required for the implementation of an interlocal services agreement;
- 27 bb. Any expenditure mandated as a result of a natural disaster,
- 28 civil disturbance or other emergency that is specifically authorized
- 29 pursuant to a declaration of an emergency by the President of the
- 30 United States or by the Governor;
- 31 cc. Expenditures for the cost of services mandated by any order
- 32 of court, by any federal or State statute, or by administrative rule,
- 33 directive, order, or other legally binding device issued by a State
- 34 agency which has identified such cost as mandated expenditures on
- 35 certification to the Local Finance Board by the State agency;
- 36 dd. Expenditures of amounts actually realized in the local budget
- 37 year from the sale of municipal assets if appropriated for non-recurring
- 38 purposes or otherwise approved by the director;
- 39 ee. Any local unit which is determined to be experiencing fiscal
- 40 distress pursuant to the provisions of P.L.1987, c.75
- 41 (C.52:27D-118.24 et seq.), whether or not a local unit is an "eligible
- 42 municipality" as defined in section 3 of P.L.1987, c.75
- 43 (C.52:27D-118.26), and which has available surplus pursuant to the
- 44 spending limitations imposed by P.L.1976, c.68 (C.40A:4-45.1 et
- 45 seq.), may appropriate and expend an amount of that surplus approved
- 46 by the director and the Local Finance Board as an exception to the

1 spending limitation. Any determination approving the appropriation
2 and expenditure of surplus as an exception to the spending limitations
3 shall be based upon:

4 1) the local unit's revenue needs for the current local budget year
5 and its revenue raising capacity;

6 2) the intended actions of the governing body of the local unit to
7 meet the local unit's revenue needs;

8 3) the intended actions of the governing body of the local unit to
9 expand its revenue generating capacity for subsequent local budget
10 years;

11 4) the local unit's ability to demonstrate the source and existence
12 of sufficient surplus as would be prudent to appropriate as an
13 exception to the spending limitations to meet the operating expenses
14 for the local unit's current budget year; and

15 5) the impact of utilization of surplus upon succeeding budgets of
16 the local unit;

17 ff. Amounts expended for the staffing and operation of the
18 municipal court;

19 gg. Amounts appropriated for the cost of administering a joint
20 insurance fund established pursuant to subsection b. of section 1 of
21 P.L.1983, c.372 (C.40A:10-36), but not including appropriations for
22 claims payments by local member units;

23 hh. Amounts appropriated for the cost of implementing an
24 estimated tax billing system and the issuance of tax bills thereunder
25 pursuant to section 3 of P.L.1994, c.72 (C.54:4-66.2);

26 ii. Expenditures related to the cost of conducting and
27 implementing a total property tax levy sale pursuant to section 16 of
28 P.L.1997, c.99 (C.54:5-113.5).

29 jj. Amounts expended for a length of service award program
30 pursuant to P.L. , c. (C.)(now pending before the Legislature
31 as this bill).

32 (cf: P.L.1997, c.99, s.9)

33

34 13. Section 10 of P.L. 1979, c.453 (C.40A:14-78.6) is amended
35 to read as follows:

36 10. The fire district budget shall provide for separate sections for:

37 a. Operating appropriations:

38 (1) Current operating expenses; [and]

39 (2) Amounts necessary to fund any deficit from the preceding
40 budget year; and

41 (3) Length of service award program.

42 b. Capital appropriations: Amounts necessary in the current
43 budget year to fund or meet obligations incurred for capital purposes
44 pursuant to N.J.S.40A:14-84, N.J.S.40A:14-85 and N.J.S.40A:14-87,
45 itemized according to purpose.

1 c. Total appropriations: The sum of a. and b. above.
2 (cf: P.L.1979, c.453, s.10)

3
4 14. Section 5 of P.L.1985, c.288 (C.40A:14-78.9) is amended to
5 read as follows:

6 5. a. Whenever it shall become necessary during the last two
7 months of the fiscal year to expend amounts in excess of those
8 appropriations specified in the various line items of the operating
9 appropriations section of the annual budget and there shall be excess
10 appropriations in other line items of the operating appropriations
11 section, the board of fire commissioners of the fire district may, by
12 resolution setting forth the facts, adopted by not less than 2/3 vote of
13 the full membership thereof, transfer the amount of the excess to those
14 appropriations deemed to be insufficient.

15 b. No transfers may be made under this section from
16 appropriations for:

- 17 (1) Contingent expenses,
- 18 (2) Deferred charges,
- 19 (3) Cash deficit of preceding year,
- 20 (4) Down payments,
- 21 (5) Capital improvements,
- 22 (6) Interest and redemption charges,
- 23 (7) Length of service award program.

24 (cf: P.L.1985, c.288, s.5)

25
26 15. Section 1 of P.L.1977, c.381 (C.43:15B-1) is amended to read
27 as follows:

28 1. Any municipality, county, or an authority created by one or
29 more counties or municipalities (hereinafter "employer") may establish
30 a deferred compensation plan (hereinafter "plan"), and a sponsoring
31 agency, pursuant to P.L. , c. (C.) (now pending before the
32 Legislature as this bill), may establish a length of service award
33 program based on such plan, whereby the employer may enter into a
34 written agreement with any of its employees (hereinafter
35 "participants") constituting a contract for a voluntary deferral of
36 salary. Such contract shall remain in effect until the employee's service
37 is terminated or until a new contract is executed by the employee and
38 employer. Not more than one contract shall be executed in any one
39 fiscal year of the employer with any one employee. Pursuant to such
40 contract the employer shall credit from time to time a specific amount
41 per pay period, as deferred salary, to a participant's account. This
42 account shall be known as the Employee's Deferred Salary Account,
43 and shall be credited from time to time to reflect gains realized on the
44 investment of the moneys in the deferred salary account. An
45 accounting summary of the individual deferred salary accounts of all
46 employee participants shall be maintained to reflect the employer's

1 total deferred liability under the plan and the individual balances of all
2 participants. Any employer which establishes such a plan shall
3 designate one or a group of its public officials, or the county's or
4 municipality's governing body, as defined in N.J.S.40A:4-2 of the
5 Local Budget Law, or an authority's governing body, as the case may
6 be, as the named fiduciary responsible for the administration of said
7 plan and investment of and accounting for the funds maintained
8 thereunder.

9 (cf: P.L.1983, c.305, s.2)

10

11 16. (New section) The Local Finance Board in the Division of
12 Local Government Services in the Department of Community Affairs
13 shall adopt regulations pursuant to the "Administrative Procedure
14 Act," P.L.1968, c.410 (C.52:14B-1 et seq.) as are necessary to
15 administer the provisions of this act.

16

17 17. This act shall take effect immediately.

18

19

20

21

22 "Emergency Services Volunteer Length of Service Award Program
23 Act."