

[Passed Both Houses]

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 1878

STATE OF NEW JERSEY

ADOPTED DECEMBER 11, 1997

Sponsored by Senators MATHEUSSEN, BUBBA, Adler, Bennett, Cafiero, Inverso, Assemblymen Blee, Dalton, LeFevre, R.Smith, Assemblywoman Turner, Assemblymen Roberts, Zisa, Assemblywoman Weinberg, Assemblymen Bucco, Suliga, Felice, Geist and Assemblywoman Allen

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

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 association.

2 "Elected or appointed position" means a line officer, department
3 or company officer, trustee of an emergency services organization, or
4 a duly established position in a municipality as determined by the
5 governing body of the municipality.

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

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

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

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

20 "Year of active emergency service" means a 12-month period
21 during which an active volunteer member participates in the fire or
22 first aid service and satisfies the minimum requirements of
23 participation established by the sponsoring agency on a consistent and
24 uniform basis.

25

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

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

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

42 d. In addition to any other procedures provided by law, every
43 ordinance or resolution creating a length of service awards program
44 shall include:

45 (1) A general description of the program;

- 1 (2) A statement of the proposed estimated total amount to be
2 budgeted for the program;
- 3 (3) A statement of the proposed maximum annual contribution for
4 an active volunteer member;
- 5 (4) If the proposed program authorizes the crediting of prior year
6 service, a statement of the number of prior years of service available
7 for crediting for each active volunteer member; and
- 8 (5). Any such other provisions as may be reasonably required by
9 the director to carry out the purposes of this act.
- 10 e. No ordinance, resolution or public question related to a length
11 of service award program shall require prior approval of the director.
- 12 f. Subsequent to the adoption of a length of service award
13 program as provided in this section, the maximum annual contribution
14 may be increased, from time to time, without public hearing or public
15 question, provided such increased contribution does not exceed a
16 number calculated by multiplying the original contribution as
17 approved by public question by the consumer price index factor. As
18 used in this section "consumer price index factor" means a fraction the
19 denominator of which shall be the "Revised Consumers Price Index-All
20 Items, Philadelphia Area (1967-100)" (the "CPI") published by the
21 Bureau of Labor Statistics of the United States Department of Labor
22 for the month in which the length of service award program passes
23 public question and whose numerator shall be the CPI for the most
24 recent month available at the time the increased contribution or benefit
25 takes effect. If the publication of the CPI is discontinued, the director
26 shall issue regulations pursuant to the "Administrative Procedures
27 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), setting forth such
28 revisions in the method of computation of the consumer price index
29 factor as the circumstances require to carry out the purposes of this
30 subsection. Except as otherwise provided in this act, all other material
31 changes to a length of service award program subsequent to its
32 adoption shall be effected without public question but by ordinance or
33 by resolution subject to public hearing, as appropriate to the
34 sponsoring agency.
- 35 g. Any amounts appropriated annually for a length of service
36 award program shall be included in the budget of the local government
37 unit as a separate line item. In the case of a fire district, the budget to
38 be voted on at the time of the public question to establish a length of
39 service award program shall include the first year's appropriation for
40 funding such program, which appropriation, if the public question is
41 defeated, shall be removed from the budget. In the case of a
42 municipality or county, appropriations for length of service award
43 programs shall commence with the budget immediately following
44 enactment of such program.
- 45 h. No length of service award program shall be adopted by any

1 local government unit other than pursuant to this act.

2

3 4. (New section) Length of service award programs shall be
4 established as defined contribution programs and shall be subject to
5 the provisions of this act. Length of service award programs shall be
6 based on applicable features of deferred compensation plans adopted
7 by local government units pursuant to P.L.1977, c.381 (C.43:15B-1
8 et seq.), in reference to which the local government unit shall be
9 treated as an "employer" as defined in that law, length of service
10 award contributions by a sponsoring agency shall be treated as
11 "deferred salary" as defined in that law, and the active volunteer
12 members shall be treated as "participants" as defined in that law. If
13 applicable, a length of service award program shall also be
14 administered in compliance with provisions of the federal Internal
15 Revenue Code for such programs and the provisions of this act.

16

17 5. (New section) A length of service award program established
18 by a local government unit pursuant to section 3 of P.L. ,
19 c. (C.) (now pending before the Legislature as this bill) may
20 be abolished or amended in the same manner as it was created.
21 However, any such amendment or abolition shall be by a two-
22 thirds vote of the full membership of the governing body of the local
23 government unit. All accumulated proceeds shall remain in trust for
24 the volunteer members.

25

26 6. (New section) No emergency service organization shall be
27 required to provide a length of service award for its active volunteer
28 members pursuant to the provisions of this act. Any length of service
29 award provided to an active volunteer member shall be governed by
30 the provisions of this act. No length of service award program shall
31 be provided under the provisions of this act unless the following
32 requirements are met:

33 a. An active volunteer member shall be eligible to participate in a
34 length of service award program immediately upon the commencement
35 of the active volunteer member's performance of active emergency
36 services in any emergency service organization, and shall be eligible to
37 vest in any length of service award program provided under the
38 provisions of this act if the active volunteer member has completed at
39 least five years of emergency service in any emergency service
40 organization in the State.

41 b. Under a length of service award program, a year of active
42 emergency service commencing after the establishment of the program
43 shall be credited for each calendar year in which an active volunteer
44 member accumulates a number of points that are granted in accordance
45 with a schedule adopted by the sponsoring agency. The program shall

1 provide that points shall be granted for activities designated by the
2 sponsoring agency, which activities may include the following:

3 (1) Training courses;

4 (2) Drills;

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

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

10 (5) Election as a delegate to an emergency service convention;

11 (6) Attendance at official meetings of the sponsoring agency;

12 (7) Participation in emergency responses; or

13 (8) Miscellaneous activities including participation in inspections
14 and other non-emergency fire, first aid or rescue activities not
15 otherwise listed.

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

26 d. To provide credit for service prior to the establishment of the
27 service award program, pursuant to subsection c. of this section, each
28 sponsoring agency shall review the prior membership rosters of the
29 emergency service organizations subject to the program to determine
30 the number of years' credit for each participant who is entitled to
31 credit. In making the analysis, the standards for active service set forth
32 in subsection b. of this section and adopted by the sponsoring agency
33 shall be used. The amount of the contribution provided to participants
34 for past service may differ from the amount of the current contribution
35 provided for under the plan. The definition of years of active
36 emergency service shall be determined by the bylaws of the
37 participating emergency service organization at the time service was
38 earned. Approval for such prior service shall require certification by
39 the duly designated persons, as determined and defined by the
40 sponsoring agency of the participating emergency service organization.
41 If an active volunteer member requests credit for service in more than
42 one volunteer participating emergency service organization, each such
43 emergency service organization shall provide a certification for the
44 appropriate number of years. That credit may be awarded at the
45 discretion of the sponsoring agency of the plan in which the volunteer

1 member seeks to apply the credit. In no event, however, shall a
2 participant be credited for the same year of active emergency service
3 in more than one service award program.

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

8 f. An active volunteer member whose name does not appear on the
9 approved certification list or who is denied credit for service prior to
10 the establishment of the service award program may appeal within 30
11 days of posting of the list or within 30 days of denial of past service
12 credit. The appeal shall be in writing and mailed to the clerk or
13 secretary of the governing body of that local government unit, which
14 shall investigate the appeal. The decision of a participating emergency
15 service organization shall be subject to appropriate judicial review.

16

17 7. (New section) a. Each active volunteer member's service
18 award shall be subject to contribution requirements set forth in this
19 section. In determining whether contribution requirements have been
20 satisfied, all benefits provided under all service award programs
21 instituted by a sponsoring agency shall be considered as one program.
22 A program adopted by a sponsoring agency shall set contributions
23 within these requirements.

24 b. A program shall have minimum and maximum contribution
25 requirements as follows: the minimum contribution for each
26 participating active volunteer member shall be \$100 per year of active
27 emergency service; and the maximum contribution for each active
28 volunteer member shall be \$1,150 per year of active emergency
29 service, subject, however, to periodic increases permitted pursuant to
30 subsection f. of section 3 of P.L. , c. (C.) (now pending before
31 the Legislature as this bill).

32

33 8. (New section) Each participating emergency service
34 organization shall maintain all required records on forms prescribed by
35 the requirements of the service award program.

36

37 9. (New section) Each participating emergency service
38 organization shall furnish to the sponsoring agency an annual
39 certification list, certified under oath, of all volunteer members, which
40 shall identify those active volunteer members who have qualified for
41 credit under the award program for the previous year. This list shall
42 be submitted annually. Notwithstanding the provisions of this section,
43 a volunteer member may request that the member's name be deleted
44 from the list as a participant in the length of service award program.
45 A request for deletion shall be in writing and shall remain effective

1 until withdrawn in the same manner.

2

3 10. (New section) The sponsoring agency shall review the
4 annual certification list of each participating emergency service
5 organization and approve the final annual certification. The approved
6 list of active certified volunteer members shall then be returned to each
7 participating emergency service organization and posted for at least 30
8 days for review by members. The emergency service organization
9 shall provide any information concerning the annual certification list
10 that the sponsoring agency shall require as part of its review.

11

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

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

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

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

41

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

44 3. In the preparation of its budget a municipality shall limit any
45 increase in said budget to 5% or the index rate, whichever is less, over

1 the previous year's final appropriations subject to the following
2 exceptions:

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

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

9 c. (1) An increase based upon emergency temporary
10 appropriations made pursuant to N.J.S.40A:4-20 to meet an urgent
11 situation or event which immediately endangers the health, safety or
12 property of the residents of the municipality, and over which the
13 governing body had no control and for which it could not plan and
14 emergency appropriations made pursuant to N.J.S.40A:4-46.
15 Emergency temporary appropriations and emergency appropriations
16 shall be approved by at least two-thirds of the governing body and by
17 the Director of the Division of Local Government Services, and shall
18 not exceed in the aggregate 3% of the previous year's final current
19 operating appropriations.

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

21 The approval procedure in this subsection shall not apply to
22 appropriations adopted for a purpose referred to in subsection d. or j.
23 below;

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

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

28 f. Amounts reserved for uncollected taxes;

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

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

33 i. Any amount approved by any referendum;

34 j. Amounts required to be paid pursuant to (1) any contract with
35 respect to use, service or provision of any project, facility or public
36 improvement for water, sewerage, parking, senior citizen housing or
37 any similar purpose, or payments on account of debt service therefor,
38 between a municipality and any other municipality, county, school or
39 other district, agency, authority, commission, instrumentality, public
40 corporation, body corporate and politic or political subdivision of this
41 State; (2) the provisions of article 9 of P.L.1968, c.404 (C.13:17-60
42 through 13:17-76) by a constituent municipality to the intermunicipal
43 account; (3) any lease of a facility owned by a county improvement
44 authority when the lease payment represents the proportionate amount
45 necessary to amortize the debt incurred by the authority in providing

- 1 the facility which is leased, in whole or in part; and (4) any repayments
2 under a loan agreement entered into in accordance with the provisions
3 of section 5 of P.L.1992, c.89.
- 4 k. (Deleted by amendment, P.L.1987, c.74.)
- 5 l. Appropriations of federal, county, independent authority or
6 State funds, or by grants from private parties or nonprofit
7 organizations for a specific purpose, and amounts received or to be
8 received from such sources in reimbursement for local expenditures.
9 If a municipality provides matching funds in order to receive the
10 federal, county, independent authority or State funds, or the grants
11 from private parties or nonprofit organizations for a specific purpose,
12 the amount of the match which is required by law or agreement to be
13 provided by the municipality shall be excepted;
- 14 m. (Deleted by amendment, P.L.1987, c.74.)
- 15 n. (Deleted by amendment, P.L.1987, c.74.)
- 16 o. (Deleted by amendment, P.L.1990, c.89.)
- 17 p. (Deleted by amendment, P.L.1987, c.74.)
- 18 q. (Deleted by amendment, P.L.1990, c.89.)
- 19 r. Amounts expended to fund a free public library established
20 pursuant to the provisions of R.S.40:54-1 through 40:54-29, inclusive;
- 21 s. (Deleted by amendment, P.L.1990, c.89.)
- 22 t. Amounts expended in preparing and implementing a housing
23 element and fair share plan pursuant to the provisions of P.L.1985,
24 c.222 (C.52:27D-301 et al.) and any amounts received by a
25 municipality under a regional contribution agreement pursuant to
26 section 12 of that act;
- 27 u. Amounts expended to meet the standards established pursuant
28 to the "New Jersey Public Employees' Occupational Safety and Health
29 Act," P.L.1983, c.516 (C.34:6A-25 et seq.);
- 30 v. (Deleted by amendment, P.L.1990, c.89.)
- 31 w. Amounts appropriated for expenditures resulting from the
32 impact of a hazardous waste facility as described in subsection c. of
33 section 32 of P.L.1981, c.279 (C.13:1E-80);
- 34 x. Amounts expended to aid privately owned libraries and reading
35 rooms, pursuant to R.S.40:54-35;
- 36 y. (Deleted by amendment, P.L.1990, c.89.)
- 37 z. (Deleted by amendment, P.L.1990, c.89.)
- 38 aa. Extraordinary expenses, approved by the Local Finance Board,
39 required for the implementation of an interlocal services agreement;
- 40 bb. Any expenditure mandated as a result of a natural disaster,
41 civil disturbance or other emergency that is specifically authorized
42 pursuant to a declaration of an emergency by the President of the
43 United States or by the Governor;
- 44 cc. Expenditures for the cost of services mandated by any order
45 of court, by any federal or State statute, or by administrative rule,

- 1 directive, order, or other legally binding device issued by a State
2 agency which has identified such cost as mandated expenditures on
3 certification to the Local Finance Board by the State agency;
- 4 dd. Expenditures of amounts actually realized in the local budget
5 year from the sale of municipal assets if appropriated for non-recurring
6 purposes or otherwise approved by the director;
- 7 ee. Any local unit which is determined to be experiencing fiscal
8 distress pursuant to the provisions of P.L.1987, c.75
9 (C.52:27D-118.24 et seq.), whether or not a local unit is an "eligible
10 municipality" as defined in section 3 of P.L.1987, c.75
11 (C.52:27D-118.26), and which has available surplus pursuant to the
12 spending limitations imposed by P.L.1976, c.68 (C.40A:4-45.1 et
13 seq.), may appropriate and expend an amount of that surplus approved
14 by the director and the Local Finance Board as an exception to the
15 spending limitation. Any determination approving the appropriation
16 and expenditure of surplus as an exception to the spending limitations
17 shall be based upon:
- 18 1) the local unit's revenue needs for the current local budget year
19 and its revenue raising capacity;
- 20 2) the intended actions of the governing body of the local unit to
21 meet the local unit's revenue needs;
- 22 3) the intended actions of the governing body of the local unit to
23 expand its revenue generating capacity for subsequent local budget
24 years;
- 25 4) the local unit's ability to demonstrate the source and existence
26 of sufficient surplus as would be prudent to appropriate as an
27 exception to the spending limitations to meet the operating expenses
28 for the local unit's current budget year; and
- 29 5) the impact of utilization of surplus upon succeeding budgets of
30 the local unit;
- 31 ff. Amounts expended for the staffing and operation of the
32 municipal court;
- 33 gg. Amounts appropriated for the cost of administering a joint
34 insurance fund established pursuant to subsection b. of section 1 of
35 P.L.1983, c.372 (C.40A:10-36), but not including appropriations for
36 claims payments by local member units;
- 37 hh. Amounts appropriated for the cost of implementing an
38 estimated tax billing system and the issuance of tax bills thereunder
39 pursuant to section 3 of P.L.1994, c.72 (C.54:4-66.2);
- 40 ii. Expenditures related to the cost of conducting and
41 implementing a total property tax levy sale pursuant to section 16 of
42 P.L.1997, c.99 (C.54:5-113.5).
- 43 jj. Amounts expended for a length of service award program
44 pursuant to P.L. , c. (C.)(now pending before the Legislature

1 as this bill).

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

3

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

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

7 a. Operating appropriations:

8 (1) Current operating expenses; [and]

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

11 (3) Length of service award program.

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

16 c. Total appropriations: The sum of a. and b. above.

17 (cf: P.L.1979, c.453, s.10)

18

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

21 5. a. Whenever it shall become necessary during the last two
22 months of the fiscal year to expend amounts in excess of those
23 appropriations specified in the various line items of the operating
24 appropriations section of the annual budget and there shall be excess
25 appropriations in other line items of the operating appropriations
26 section, the board of fire commissioners of the fire district may, by
27 resolution setting forth the facts, adopted by not less than 2/3 vote of
28 the full membership thereof, transfer the amount of the excess to those
29 appropriations deemed to be insufficient.

30 b. No transfers may be made under this section from
31 appropriations for:

32 (1) Contingent expenses,

33 (2) Deferred charges,

34 (3) Cash deficit of preceding year,

35 (4) Down payments,

36 (5) Capital improvements,

37 (6) Interest and redemption charges,

38 (7) Length of service award program.

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

40

41 15 Section 1 of P.L.1977, c.381 (C.43:15B-1) is amended to read
42 as follows:

43 1. Any municipality, county, or an authority created by one or
44 more counties or municipalities (hereinafter "employer") may establish
45 a deferred compensation plan (hereinafter "plan"), and a sponsoring

1 agency, pursuant to P.L. , c. (C.) (now pending before the
2 Legislature as this bill), may establish a length of service award
3 program based on such plan, whereby the employer may enter into a
4 written agreement with any of its employees (hereinafter
5 "participants") constituting a contract for a voluntary deferral of
6 salary. Such contract shall remain in effect until the employee's service
7 is terminated or until a new contract is executed by the employee and
8 employer. Not more than one contract shall be executed in any one
9 fiscal year of the employer with any one employee. Pursuant to such
10 contract the employer shall credit from time to time a specific amount
11 per pay period, as deferred salary, to a participant's account. This
12 account shall be known as the Employee's Deferred Salary Account,
13 and shall be credited from time to time to reflect gains realized on the
14 investment of the moneys in the deferred salary account. An
15 accounting summary of the individual deferred salary accounts of all
16 employee participants shall be maintained to reflect the employer's
17 total deferred liability under the plan and the individual balances of all
18 participants. Any employer which establishes such a plan shall
19 designate one or a group of its public officials, or the county's or
20 municipality's governing body, as defined in N.J.S.40A:4-2 of the
21 Local Budget Law, or an authority's governing body, as the case may
22 be, as the named fiduciary responsible for the administration of said
23 plan and investment of and accounting for the funds maintained
24 thereunder.

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

26

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

32

33 17. This act shall take effect immediately.

34

35

36

37

38 _____
39 "Emergency Services Volunteer Length of Service Award Program
Act."