

CONSTITUTION AND BY-LAWS

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Mainland Local #77

**New Jersey State
Policemen's Benevolent
Association, Inc.**

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PREAMBLE

It being a well-established fact that a number of individuals laboring for the accomplishments of the same purpose, and more likely to obtain the objects desired by combining their efforts than by separate action, and by forming themselves into an organized body will better protect their individual rights, promote their welfare and forward their interests, as well as extend their sphere of usefulness, we do therefore form ourselves into an Association, under the name and for the objects hereinafter set forth and do hereby adopt the following Constitution and Bylaws for its rules and guidance.

The adoption of this Constitution and Bylaws of the New Jersey State Policemen's Benevolent Association, Inc., is hereby dedicated to the memory of all deceased members.

ARTICLE I ORGANIZATION

Section 1 - STATE ASSOCIATION

A. PURPOSE

This Association is formed to promote the general welfare of its Local Associations and to conduct business in the furtherance of that goal as promulgated herein. The Association will act as a clearing house for legislative issues on behalf of its Local Associations and advocate for the mutual aid, protection, welfare and advancement of each Local Association and its members; to strive to improve terms and conditions of employment for each Local Association and its members; to seek all legitimate aid and assistance for the purpose of promoting, advancing and improving financially, and otherwise, the welfare, conditions and interest of police and law enforcement officers throughout the State of New Jersey; to advance socially, financially, and otherwise, each member's interest and general welfare throughout the State of New Jersey; to create a better understanding for the common interest of all police and law enforcement officers in New Jersey and to better improve all such officers in their line of duty for their respective governmental units of the State.

B. CONSTITUTION AND BYLAWS

It is affirmed that all Local Associations and County Conferences hereby adopt the New Jersey State Policemen's Benevolent Association, Inc., Constitution and Bylaws for their rules and guidance. It is further understood and agreed that the Constitution and Bylaws of the State PBA cannot be amended by any Local Association or County Conference. The Local Associations and County Conferences may under specific circumstances adopt additional bylaws so long as they are not inconsistent, are subordinate with the Constitution and Bylaws of the State PBA and subject at all times to the approval of the New Jersey State PBA Bylaws Committee.

Section 2 - LOCAL ASSOCIATION

A. NAME - The Local Association will be known as the Mainland, Policemen's Benevolent Association, Local No. 77, a Local Association of the New Jersey State Policemen's Benevolent Association, Inc., (hereinafter referred to as the "State PBA" or the "Association"), within the County of Atlantic.

B. PURPOSE - The Mainland Policemen's Benevolent Association, Inc., Local # 77 is formulated as a union of Law Enforcement Officers, within the County of Atlantic. It being a well-established fact that a number of individuals laboring for the accomplishments of the same purpose, and more likely to obtain the objects desired by combining their efforts than by separate action, and by forming themselves into an organized body will better protect their individual rights, promote their welfare and forward their interests, as well as extend their sphere of usefulness, we do therefore form ourselves into this Local Association of the New Jersey State Policemen's Benevolent Association, Inc. This Local Association will seek and obtain recognition or certification as the exclusive majority representative of employees

within the meaning of the New Jersey Employer-Employee Relations Act, NJSA 34:13A-1.1 et. seq., as amended or as may be hereafter amended.

- C. COLLECTIVE BARGAINING AGREEMENT - The Local Association will within 30 days of distribution of a printed executed collective bargaining agreement with the employer, submit a copy of said agreement to the State PBA Office. This agreement will be available to any State Delegate for inspection or research so long as that Local Association's collective bargaining agreement file is current and an appointment for a review is made with the collective bargaining consultant.

Section 3 - COUNTY CONFERENCE

- A. ~~NAME - This County Conference will be known as the _____, Inc., hereinafter referred to as the "County Conference" or the "Conference" of the New Jersey State Policemen's Benevolent Association, Inc., (hereinafter referred to as the "State PBA" or the "Association").~~
- B. ~~PURPOSE - The _____ County Conference of the New Jersey State Policemen's Benevolent Association, Inc., is formulated as a fraternal organization of member Local Associations within the County. The purpose of this Conference is to unite member Local Associations in order to promote mutual cooperation and assist in economic, social and professional advancement of all law enforcement within the County. By forming member Local Associations into an organized Conference, it will better protect their rights, promote their welfare and forward their interests, as well as extend their sphere of usefulness; therefore, we do form ourselves into the _____ County Conference of the New Jersey State Policemen's Benevolent Association, Inc.~~

ARTICLE II

TITLE

Section 1 - STATE ASSOCIATION

- A. This Association, known as the New Jersey State Policemen's Benevolent Association, Incorporated, hereinafter referred to as the "Association" or "PBA" is a State Organization and a Not-For-Profit Corporation as defined under the Corporation Laws of the State of New Jersey.
- B. It grants Charters to Local Associations, and their individual members are members of this Association subject to its control and regulations. Every Local and each member thereof accepting and retaining its Charter consents to all of the provisions of these Bylaws and Amendments thereto.
- C. It grants Charters to County Conferences and, their Local Association members are members of this Association subject to its control and regulations. Every County Conference and their Local Association members thereof accepting and retaining its Charter consents to all of the provisions of these Bylaws and Amendments thereto.
- D. For purposes of the State of New Jersey Not-For-Profit Corporation Laws and the Association's Articles of Incorporation, the principal location of business will be within the State of New Jersey and this Association will have subordinate and Local Associations within the State.
- E. No organization or person will use the name of the New Jersey State Policemen's Benevolent Association, Incorporated, its acronym, or logo(s) in any way that may indicate its sanction or approval without the written authorization of the State PBA President or his designee. Notwithstanding the preceding language, nothing herein will prevent the State PBA President or his designee from acting on behalf of this Association.
- F. Whenever wording within these Bylaws refers to the masculine it is understood that it applies to both males and females within this Association.
- G. The Constitution and Bylaws of this Association cannot be amended by any Local Association. Local Associations, will adopt their Bylaws and under specific circumstances amend their Bylaws so long as they are not inconsistent, are subordinate with the Constitution and Bylaws of the Associations and subject at all times to the approval of the New Jersey State PBA Bylaws Committee.
- H. Amendment(s) to a Local Association's Bylaws will be as follows: After presentation to the members, then tabled for thirty (30) days after which a 2/3 majority vote of the members present at a meeting will be required to submit the amendment(s) for approval of the New Jersey State PBA Bylaws Committee pursuant to Article III, Section 1(D).

ARTICLE III

AUTHORITY OF THE STATE PBA

Section 1 – STATE ASSOCIATION

- A. The State PBA will have the authority to:
1. Enact all Bylaws and adopt rules and regulations;
 2. Enact and adopt any and all such rules and regulations as may be required and deemed necessary for the best interest and welfare of the Association, Local Associations, County Conferences and their individual members;
 3. Have complete jurisdiction at all times over each Local Association, County Conferences and their individual members whose rules, regulations and Bylaws will at all times be subject and subordinate to the rules, regulations and Bylaws of this Association;
 4. Approve, modify, or reject any Local Association or County Conference Bylaws and subsequent amendment(s) which must be submitted to this Association for approval prior to adoption;
 5. In the best interest of this Association, adopt and collect such taxes, levies, or assessments against all Local Associations and any of their members as deemed necessary;
 6. Prescribe any additional qualifications or conditions for obtaining or retaining membership herein;
 7. Hear and determine all appeals concerning members of this Association, Local Associations, County Conferences and State Committees decisions or actions, and individual members thereof, which determination will be final and binding upon all such members of this Association, Local Associations, County Conferences and their individual members thereto;
 8. Grant, revoke or suspend a Charter of a Local Association or a County Conference for cause;
 9. Upon notification to the State PBA President, a Local Association may endorse municipal political candidates within the Local's geographical limits if said candidate(s) are/is not currently holding or seeking to hold an additional statewide office;
 10. Upon notification and approval of the State PBA President, authorization to County Conferences to endorse candidates for State or County offices within the geographical limits of the Conference;
 11. Authorize the State Board of Delegates to endorse candidates for Statewide and/or Federal office;
 12. In the best interest of the State PBA, take any action as deemed necessary consistent with the Constitution and Bylaws of this Association.

Section 2 - LOCAL ASSOCIATION

- A. Each Local Association will seek and obtain recognition or certification as the exclusive majority representative of employees within the meaning of the New Jersey Employer-

Employee Relations Act, NJSA 34:13A-1.1 et. seq., as amended or as may be hereafter amended.

- B. Each Local Association will within 30 days of distribution of a printed executed collective bargaining agreement with its employer, submit a copy of said agreement to the State PBA Office.
- C. These agreements will be available to any State Delegate for inspection or research so long as that Local Association's collective bargaining agreement file is current and an appointment for a review is made with the collective bargaining consultant.

ARTICLE IV MEMBERSHIP

Section 1 - CLASSES OF MEMBERSHIP

There will be four (4) classes of membership in the Association: Active, Supervisor, Associate and Retired.

DEFINITION OF CLASSES OF MEMBERSHIP

- A. Active members are defined as any person regularly appointed as full-time sworn law enforcement officers and in accordance with Local Association requirements is eligible for membership. Any person who is not a member of a municipal police department, but who is a bona fide law enforcement officer, who resides in any municipality wherein a Local Association exists, will be entitled to membership in said Local Association, providing however that he is not already a member of another Local Association, or his employer does not have a PBA Local Association and that he conforms to all other requirements set forth in the Constitution and Bylaws of this Association. A law enforcement officer must join the Local Association of his department. A law enforcement officer who is otherwise eligible for membership in this Association will not be ineligible because he/she resides outside of the State of New Jersey;
- B. Supervisor Officers are defined as full-time sworn law enforcement officers who are members of a Local Association and are permanently promoted to the rank of Sergeant or above, or the equivalent rank in a non-police department pursuant to New Jersey Statute;
- C. Associate members are defined as any person who was an active member in good standing and has been laid off from his law enforcement position and has not yet accepted subsequent employment as a law enforcement officer;
- D. Retired members are defined as any member of a Local Association who retires in good standing.

Section 2 – MEMBERSHIP STANDING

- A. Member in Good Standing - defined as a member who is not in arrears in payment of dues, fees or assessments or whose membership is not under a disciplinary suspension or expulsion from the State PBA or his Local Association. A “member in good standing” will be entitled to all rights, privileges and benefits promulgated and provided by the Association’s Bylaws in accordance with the member’s class of membership as defined herein.
- B. Member Not in Good Standing - defined as a member who is in arrears of payment of dues, fees or assessments pursuant to Article XVII, Section 1C or whose membership is under a disciplinary suspension or expulsion from the State PBA or his Local Association or has been determined to be a dual member in violation of Article X, Section 1, or any individual member who fails to comply with the voter registration requirement as outlined in Article IV section 4A of these bylaws.
 - 1. Member not in good standing will not be entitled to any rights, privileges, and benefits promulgated and provided by the Association’s By-Laws. Additionally, the beneficiaries or legal representatives of a member not in good standing will not be entitled to any benefits of the Association.

2. Any member found to be a dual member of any organization not authorized by the State President as per Article X, Section 1 shall be considered a member not in good standing until such time that the member provides acceptable evidence that membership in said organization other than the State PBA has been resigned.

Section 3 - ENTITLEMENT FOR CLASSES OF MEMBERSHIP

- A. Active members will be entitled to all rights, privileges and benefits promulgated and provided by the Association's Bylaws.
- B. Supervisor Officers and Retired members will only be entitled to those specific rights, privileges and benefits promulgated and provided by the Association's Bylaws.
- C. Associate members will be entitled to all rights, privileges and benefits promulgated and provided by the Association's Bylaws.

Section 4 - APPLICATION AND ELIGIBILITY

- A. Individual members will be admitted to a Local Association upon their regular appointment as a full-time sworn law enforcement officer. The Bylaws of such Local Association will, in no way, conflict with any of the Bylaws, or regulations of this Association. Effective immediately, any individual requesting membership within a local association must produce proof that he or she is registered to vote within the county or state of their place of residence. Any individual presently holding membership within any local association, must register to vote within the county or state of their residence no later than February 1, 2013. Any individual who fails to comply with the requirement of voter registration after February 1, 2013, shall be deemed a member not in good standing as outlined in Article IV section 2 of these bylaws. Upon admission to the Local Association, each member thereof becomes a member of this Association and is subject to its rules and regulations and the Bylaws thereof. A member ceasing to be a member of the Local Association ceases to be a member of this Association immediately. This Association may expel an individual member of a Local Association for a violation of its rules and regulations or Bylaws hereof.
- B. Any member of this Association, who is classified as "in good standing" with their Local Association shall be permitted to transfer to another Local of this Association. The member who is transfers to another Local of this Association, shall not have their membership breached or any other phrase which would deem them any less than a full member of the newly joined Local Association. When a member transfers to another Local, a letter from the duly authorized State Delegate from the departing Local sent to the duly authorized State Delegate of the newly joined Local will keep the membership continuous;
- C. Any member appealing a suspension and/or firing from their law enforcement position may retain their PBA membership during the entire appeal process. Local Associations, solely at their discretion, may waive dues and assessments during a member's appeal.
- D. Applications for individual membership in a Local Association will be referred by the President of the Local Association to an investigating committee. At the next meeting of the Local Association, each applicant will be voted upon by the membership of the Local Association pre- sent.

- E. Only individual members in good standing of a Local Association will be permitted to vote on any application for membership.
- F. Local Associations are prohibited from the use of the blackball system in determining the merit of an application for membership.
- G. Any individual applicant, upon rejection for membership, may thereafter apply for membership following a six (6) month period.
- H. On any application for reinstatement by an individual member for membership in a Local Association, the vote will be by a closed ballot at a regular meeting, at which time a majority vote will prevail regarding said application for reinstatement.
- I. The Recording Secretary of each Local Association will forward the name of each new member within forty-eight (48) hours of acceptance as a member and each Local Association's Recording Secretary will notify the State PBA's Financial Secretary and Recording Secretary of the death, resignation or expulsion of any individual member within 48 hours of its occurrence.
- J. An up-to-date roster setting forth the membership of each Local Association will be submitted annually with the applications for dues cards by October 15th of each year to the State Office.

Section 5 - SUPERVISORS

- A. It is the policy of this Association those Supervisor Officers and rank-and-file members make every effort to remain as a single unit of employees in majority representation with their employers. Those instances where Supervisor Officers and rank-and-file members constitute an appropriate negotiating unit, at least one (1) Supervisor will serve on the Local Association's negotiating committee.
- B. In the event that the Public Employment Relations Commission or court of competent jurisdiction directs that Supervisor Officers and rank-and-file members be represented in separate majority representative units within the meaning of the New Jersey Employer-Employee Relations act, NJSA 34:13A-1.1 et seq., as amended or as may be hereinafter amended, then said Supervisor Officers must formulate a separate PBA/Supervisor Officers Association (hereinafter, SOA).
- C. It is hereby established that each and every SOA is simply a majority representative component of a Chartered Local Association of this Association and will remain subordinate to their Local Association's Bylaws.
- D. Notwithstanding the above Section 5 (A), (B) and (C), if the New Jersey Employer-Employee Relations act, 34:13A-1.1 et seq, as amended or as may be hereafter amended or a court of competent jurisdiction directs that Supervisor Officers and rank and file members be represented in separate majority representative units or, if a Local Association's SOA petitions the State PBA for a Restricted Local Charter, as described in Article XVIII, Section 4, before said Restricted Local Charter is granted, the concurrence of the Board of State Delegates will be required. An SOA may have a separate treasury to use for majority representation. It will be the responsibility of the Local PBA Association and their SOA to determine which portion of the dues will be remitted to the Local PBA for fraternal purposes only. Any portion paid by the SOA to the Local PBA for fraternal purposes will be kept in an account separate from the Local Association's

account used for majority representation. Nothing herein will prohibit the Local Association from assessing all its members, including Supervisor Officers, for expenses related to fraternal purposes of this organization.

Any dispute between the Local Association and their SOA on whether an SOA may have a separate treasury or on the determination of the portion of dues remitted for fraternal purposes must be brought before the State PBA Organization Committee by the Local Association's President.

E. Any SOA who is granted a Restricted Local Charter will have, in addition to their Local Association's Bylaws, limited rights and privileges promulgated by the State PBA Bylaws for Local Association SOAs as follows:

1. One (1) President from a SOA will be selected by the SOA Presidents from within their respective County to become a member of the State PBA Supervisor Officers Associations Committee. The Chairperson will be selected by the State PBA President;
2. The Chairperson of the Supervisor Officers Associations Committee will be recognized to speak at an open meeting; however, no member other than a State Delegate will nominate or second a nomination of any candidate, make or second a motion or vote on any matter(s) that is before the Board of State Delegates;
3. With respect to majority representation, when it becomes necessary for Supervisors to obtain information from the State PBA, the Supervisor recognized as the lead negotiator, or his designee, may do so upon notification to the Local Association's State Delegate;
4. Supervisors will not be eligible to hold any office on the State PBA Executive Board;
5. Supervisors will not be entitled to nominate or second a nomination of any candidate for the State PBA Executive Board;
6. Supervisors will not be entitled to vote for any candidate for the State PBA Executive Board;
7. Supervisors will not be eligible to hold the office of State PBA Delegate, Alternate Delegate or 1st Convention Delegate if the duties of the 1st Convention Delegate have been expanded to serve as the Local Association's Alternate Delegate;
8. SOAs will elect members to elective offices for the same term of office as their Local Association, with the exception of the position of State, Alternate or Convention Delegates. The minimum eligibility requirement for elective office within an SOA is three (3) years as a member in good standing with the State PBA;
9. SOAs will formulate a Judiciary Committee, independent from their Local Association's rank and file and will retain jurisdiction over disputes between their members. A request for a stay or appeals from an SOA Judiciary Committee will be pursuant to Article XVI of the Bylaws.
10. A recognized SOA may submit local additional bylaws that govern the operation of the SOA. Those additional bylaws must be submitted to the NJSPBA Bylaws Committee by the local delegate. Notification must be made to the local President

and must not be in conflict with the State PBA or Local By-laws. Any additional local by-laws pertaining to the SOA, must be marked "SOA only."

Section 6 - LOCAL ASSOCIATION'S ABSTENTION OF SUPERVISORS

Notwithstanding Section 5 above or, Local options enumerated in Section 7 below, Supervisors will not be eligible to hold any office on a Local Association's Executive Board, make or second a motion, nominate or second a nomination of any candidate or vote on any matter(s) that is before the Local Association.

Section 7 - LOCAL ASSOCIATION'S OPTIONS FOR SUPERVISOR OFFICERS

- ~~A. **Local option.** Supervisor Officers may attend open meetings of this Local Association and will be permitted a voice on the floor at such meetings, but they will not be permitted to vote at any time.~~
- B. **Local option.** Supervisor Officers will be entitled to a voice and vote on all matters relating to contract ratifications, when both rank and file and Supervisor Officers are in the same majority representative unit.
- C. **Local option.** Supervisor Officers will be entitled to a voice and vote on all expenditures of funds within the majority representative unit and a voice and vote on all expenditures of a fraternal nature of the Local.
- ~~D. **Local option.** Supervisor Officers in Local Associations may have an expanded voice on other matters under consideration by the Local Association, not to include nominating of officers or holding office in this Association, nor any important matter bearing on the rights of Patrolmen, or their equivalent.~~
- ~~E. **Local option.** Supervisor Officers in Local Associations may vote for Officers and Trustees but may not nominate nor hold office in the Local Association.~~
- F. **Local option.** Supervisor Officers will have the right to cast their vote in their Local Association's State Delegate's election.
- G. **Local option.** Supervisor Officers will be entitled to vote upon requests for representation submitted pursuant to Section 5 (B) above.
- ~~H. **Local option.** Local Associations may amend their Bylaws to allow their Supervisors to attend all meetings (open meetings, closed meetings, and special meetings) and have a voice and vote on all issues with the exception of nominating or voting of officers unless Local option 7 (E) is adopted allowing Supervisor Officers to have the right of vote for officers. Local Associations that adopt this option waive all restrictions pertaining to the above ranks that are adopted in Section 7 (A) above.~~
- I. **Local option.** A Local Association may amend their Bylaws to allow their Supervisors to nominate, hold office and have the right to vote for office within their Local Association. Said Supervisors will then be allowed to attend all meetings, have a voice and vote on all issues; however, no Supervisor will be eligible to hold the office of the Local Association's President, Vice President, State Delegate, Alternate Delegate or 1st Convention Delegate.
- ~~J. **Local option.** A Local Association may amend their Bylaws to allow their Supervisors to nominate, hold office and have the right to vote for office within their Local Association. Said Supervisors will then be allowed to attend all meetings, have a voice~~

~~and vote on all issues however, no Supervisor will be eligible to hold the office of the Local Association's President, Vice President, State Delegate or Alternate State Delegate however, Section 5 (E) (7) above, will apply to this Local option.~~

- K. The provisions of Section 7 will be Local Association options which will supplement and not eliminate the provisions of Article III, Section 1 herein.

ARTICLE V
EXECUTIVE BOARD/ BOARD OF DIRECTORS

Section 1 - STATE ASSOCIATION

- A. The Board of Officers of the State Association will be limited to no more than 10 percent of the total number of P.B.A. Locals having active charters and will include the following: President; Executive Vice-President; twelve (12) Vice- Presidents, in numerical order; Treasurer; Financial Secretary; Recording Secretary; and the remaining officers as Sergeant-at-Arms.
- B. The Board of Trustees of the State Association will be limited to seven (7) Trustees.
- C. The Board of Officers and Board of Trustees collectively will constitute both the State PBA Executive Board and for the purposes of the State of New Jersey Not-For-Profit Corporation Laws and the Association's Articles of Incorporation, the State PBA Board of Directors and they will be indemnified by this Association from any civil or criminal action as long as their action(s) are within their scope of office.
- D. All decisions of the State PBA Executive Board will be final unless a stay is granted or an appeal is filed in accordance with the provisions of Article XVI of this Constitution and Bylaws provided, however that the decision of the State PBA Executive Board will be valid and binding upon this Association until such time.
- E. The State PBA Executive Board will hold quarterly meetings at a time and location determined by the President or at the call of ten (10) members of the State PBA Executive Board. Other meetings will be held at such times and locations as deemed by the State PBA President.
- F. Between regular meetings of the State Board of Delegates, the State PBA Executive Board will be empowered to act on behalf of this Association, when necessary. In matters requiring action by the State PBA Executive Board and when the State PBA Executive Board is not in formal session, they may act by telephone or by other means of communications.
- G. The State PBA Executive Board by majority vote is authorized and empowered to summon any member of this Association to appear at any regular or special meeting of this Association in order to ascertain and seek information relating to the business of this or any Local Association. Any member refusing to comply with such summons or request will be subject to suspension pending formal charges pursuant to Article X.
- H. Upon majority vote of the State PBA Executive Board, any Local Association must exhibit to the State PBA Executive Board all of its books, papers, accounts, property and other things in its possession, the same to be delivered to the Executive Board through the President and Secretary of the Local Association immediately upon the receipt of the written request of the State PBA President, or upon the recommendation of the State PBA Judiciary Committee.
- I. With the exception of the office of State PBA Executive Vice President, any vacancy on the State Executive Board will be filled in succession by the State PBA President with the State Executive Board member immediately below the vacant position and the State PBA President will then appoint a State Delegate to the State Executive Board to serve until the next election.

Section 2 - LOCAL ASSOCIATION

- A. The Board of Officers of a Local Association will be limited to the President; Vice President; Treasurer; Financial Secretary; Recording Secretary and Sergeant-at-Arms; The State Delegate will be ex officio member of the Local Executive Board.
- B. **Local Option.** A Local with more than 100 active members may expand their Executive Board by no more than three additional Vice-Presidents to be titled 1st, 2nd and 3rd Vice-President. A Local may add one Vice-President for each 100 additional active members on their roster.
- C. The Board of Trustees of a Local Association will be limited to three (3) Trustees and they will be elected for a one, two or three year terms. Commencing in June 2007 and in June of each third year thereafter, the term of office for Local Association Trustees will be three (3) years.
- D. The Board of Officers and the Board of Trustees collectively will constitute both the Local Association's Executive Board and for the purposes of the State of New Jersey Not-For-Profit Corporation Laws and the Local Association's Articles of Incorporation, the Local Association's Board of Directors and will have control of all matters pertaining to the good and welfare of this Association and of all other matters pertaining to the business of this Association referred to for its decision. All such matters referred to it will be brought to the notice and attention of said Board by the Recording Secretary.
- E. Between regular meetings of a Local Association the Executive Board will be empowered to act on behalf of the Local Association, when necessary. In matters requiring action by the Local Association's Executive Board when not in formal session, they may act by telephone or by other means of communication.
- F. All decisions rendered and submitted by the Local Association's Executive Board will be final and can only be overruled by a majority vote of the members present at a regular meeting.
- G. Any vacancy on the Local Association Executive Board will be filled in succession by the Local Association's President with the Local Association Executive Board member immediately below the vacant position and the Local Association President will appoint a member of the Local Association to the Local Association's Executive Board until the next election.

Section 3 - COUNTY CONFERENCE

- A. The Board of Officers of this Conference will be limited to the Chairperson, Co-Chairperson Treasurer; Financial Secretary; Recording Secretary and Sergeant-at-Arms.
- B. The Board of Trustees of this Conference will be limited to three (3) Trustees and they will be elected for a one, two or three year terms. Commencing in June, 2007 and in June of each third year thereafter, the term of office for County Conference Trustees will be three (3) years.
- C. The Board of Officers and the Board of Trustees collectively will constitute both the County Conference Executive Board and for the purposes of the State of New Jersey Not-For-Profit Corporation Laws and the County Conference's Articles of Incorporation, the County Conference Board of Directors and will have control of all matters pertaining to

the good and welfare of this Conference and of all other matters pertaining to the business of this Conference referred to for its decision. All such matters referred to it will be brought to the notice and attention of said Executive Board by the Recording Secretary.

- D. Between regular meetings of this Conference the Executive Board will be empowered to act on behalf of the Conference, when necessary. In matters requiring action by the Conference's Executive Board when not in formal session, they may act by telephone or by other means of communications.
- E. All decisions rendered and submitted by the Conference Executive Board will be final and can only be overruled by a majority vote of the members present at a regular meeting.
- F. Any vacancy on the Conference Executive Board will be filled in succession by the Conference Chairperson with the Conference's Executive Board member immediately below the vacant position and the County Chairperson will appoint a member of the Conference to the Executive Board until the next election.

ARTICLE VI BOARD OF TRUSTEES

Section 1 - STATE ASSOCIATION

- A. The State PBA Board of Trustees will be the sole custodians of all property and records of this Association. They will examine and approve all bills submitted and paid monthly. The Financial Secretary will serve as Chairperson and will submit a written monthly report to the State Board of Delegates.
- B. The State PBA Board of Trustees will have access to all books, records, files, papers, etc. of this Association at all times. The State PBA Board of Trustees will oversee and have a record of all property and chattels owned by this Association which will be maintained at the State Office, and perform such other duties as prescribed by the State PBA President.
- C. The President and the Board of Trustees are authorized to invest funds of this Association to the maximum extent possible in sound investments. Investment activities will be consistent with a specific statement of investment policy, objectives and guidelines. Such statement of investment policy, objectives, and guidelines will be subject to the approval of a 2/3's vote of the total number of State Delegates present at any monthly meeting of the Board of State Delegates.

Section 2 - LOCAL ASSOCIATION

- A. The Board of Trustees of a Local Association will be sole custodian of all property and records of this Local and will approve all bills ordered paid.
- B. The Board of Trustees of a Local Association will maintain general supervision over the financial affairs of this Association and investigate all claims and bills referred to it. It will have custody of the bonds of the Officers of the Association as required and will demand such bonds from any Officer designated under these Bylaws, before such Officer will assume the duties of his office.
- C. The Board of Trustees of a Local Association will have access to all books, records, files, papers, etc., of this Local at all times. The Board of Trustees of a Local Association will examine the books and records of the Financial Secretary, Treasurer, and the bank accounts at least once every six (6) months and will submit a semi-annual itemized statement, once at the June meeting, comprising the following items: Cash received and the purpose therefore; amount of money invested, character of securities and stocks, respectively; and perform such other duties as prescribed by this Local.
- D. The Board of Trustees of a Local Association will keep an accurate record of the date, payee, object, account, and date of approval of each account approved by them. They will choose a Chairperson who will preside at their meetings and be their spokesperson.
- E. The Board of Trustees of a Local Association will also select from their members a secretary who will notify all members and the President, Financial Secretary and Treasurer of the time and place of all meetings.
- F. The President and the Board of Trustees are authorized to invest funds of this Local Association to the maximum extent possible in sound investments. Investment activities will be consistent with a specific statement of investment policy, objectives, and

guidelines. Such statement of investment policy, objectives, and guidelines will be subject to the approval of a 2/3's vote of the Local Association's entire membership.

Section 3 - COUNTY CONFERENCE

- A. The Board of Trustees of this County Conference will be sole custodian of all property and records of the Conference and will approve all bills ordered paid.
- B. The Board of Trustees of this County Conference will maintain general supervision over the financial affairs of the Conference and investigate all claims and bills referred to it. It will have custody of the bonds of the Officers of the Conference as required and will demand such bonds from any Officer designated under these Bylaws, before such Officer will assume the duties of his office.
- C. The Board of Trustees of this County Conference will have access to all books, records, files, papers, etc., of this Local at all times. The Board of Trustees of the Conference will examine the books and records of the Financial Secretary, Treasurer, and the bank accounts at least once every six (6) months and will submit a semi-annual itemized statement, once at the June meeting, comprising the following items: Cash received and the purpose therefore; amount of money in- vested, character of securities and stocks, respectively; and perform such other duties as pre- scribed by this Local.
- D. The Board of Trustees of this County Conference will keep an accurate record of the date, payee, object, account, and date of approval of each account approved by them. They will choose a Chairperson who will preside at their meetings and be their spokesperson.
- E. The Board of Trustees of this County Conference will also select from their members a secretary who will notify all members and the Conference Chairperson, Financial Secretary and Treasurer of the time and place of all meetings.
- F. The Conference Chairperson and the Board of Trustees are authorized to invest funds of this County Conference to the maximum extent possible in sound investments. Investment activities will be consistent with a specific statement of investment policy, objectives, and guidelines. Such statement of investment policy, objectives, and guidelines will be subject to the approval of a 2/3's vote of the County Conference's entire membership.

ARTICLE VII

BOARD OF STATE DELEGATES

Section 1 - PRINCIPAL DUTIES

- A. The governing, legislative power, and control of this Association are vested in a Board of State Delegates consisting of a representative from each Local Association. All State Delegates of this Association, individually and collectively, will endeavor at all times to promote its welfare during their term in this Association.
- B. Notwithstanding Article IV, Section 5, (E1, E2 and E3), the State Delegate will represent the Local Association at all State meetings and act as liaison between the two organizations. He will report all State activities, including legislative efforts, to the Local Association, keeping it advised of all current matter of interest. He will maintain public relations with local legislators and keep advised of any and all legislation affecting law enforcement officers or law enforcement in any way. He will also serve on all committees of the State Association as appointed by the State PBA President; will be a member of all important committees on a Local Association level and will keep advised of any change or amendment in the Bylaws and so notify the Local Association. He will also process all communications between the Local Association or its individual members and the State Association, particularly as to any grievances or appeals that may be processed. A State Delegate will not withhold the dues card from any member in good standing of their Association.
- C. Within five (5) calendar days of being elected to the position of State Delegate, the State Delegate will notify the State PBA Office giving their name, address, phone numbers and Local Association they represent. The newly elected State Delegate will be advised of the date to attend the next New Delegates meeting, prior to being sworn in by the State at a monthly Board of Delegates meeting. The new State Delegate must submit a copy of their Local Association's current collective bargaining agreement(s) to the Chairman of the New Delegates' Committee when at- tending the New Delegates meeting, prior to being sworn in.
- D. If any State Delegate is elected to the position of State PBA President or Executive Vice President, they will be considered the permanent State Delegate from their respective Local Association and will not be required to run for re-election as State Delegate for as long as they serve as State PBA President or Executive Vice President of this Association.
- E. Any State Delegate, upon election to a State Office, will represent his Local Association as its State Delegate until the expiration of his term of office and the term of a State Delegate will not expire until after the close of Unfinished Business at the annual convention.
- F. The Local Associations which the State PBA President and the Executive Vice President represent may elect an Alternate State Delegate pursuant to their Bylaws unless a Local option is adopted as enumerated in Section 4 below, stating he may be appointed by the Local Association's State Delegate. Said Alternate State Delegate will be allowed to perform the normal State Delegate's responsibilities, except for voting on issues before the State Board of Delegates, which will still be performed by the State President and the

Executive Vice President. The main purpose of this sub-section is to relieve the State PBA President and the Executive Vice President of some of the duties normally performed by a Local Association's State Delegate.

- G. All State Delegates (or Local Presidents) on permanent committees by this Association will have all expenses relating thereto paid from the funds of this Association, mileage to be based on one-way travel and to be reimbursed as follows:

0-20 miles:	\$80.00
21-40 miles:	\$90.00
41-60 miles:	\$100.00
61 miles and beyond:	\$110.00

- H. The Chairperson of the committee will be allotted an additional \$20.00 per meeting to cover expenses in preparing the committee report for the State Board of Delegates.
- I. The Local Association will defray the expenses of their State Delegate, and failure to do so will subject the Local to suspension from the State Association.
- J. This Bylaw is not all-inclusive concerning the duties of a State Delegate since he is to carry out and affect any and all matters in furtherance of his general duties as aforesaid.

Section 2 - ELIGIBILITY

- A. The State Delegate will be elected pursuant to his Local Association's Bylaws at a regular meeting of the Local Association in June. Nominations for said office will be at the preceding regular May meeting. A member, to be eligible for office, must have been a member of a Local Association for three (3) or more years at the time of nominations. This does not apply to a new Local Association with less than three (3) years affiliation. The official date of affiliation will be the date which appears on their Charter and concurs with the date of approval by the Board of State Delegates. The term of office for a State Delegate will be three (3) years. Upon a State Delegate failing to complete his term for any reason, the Local will immediately upon termination conduct an election for the unexpired term of said office.
- B. A State Delegate who is permanently promoted to the rank of Sergeant or above or the equivalent rank in a non-police department pursuant to New Jersey Statute will retain the position of State Delegate until the new State Delegate commences his term pursuant to Article XII, Section 5, (B) but, will not retain the position beyond one hundred twenty (120) days of said permanent promotion or the next May nominations and elections in June, whichever comes first.

Section 3 - LOCAL ASSOCIATION'S ALTERNATE STATE DELEGATE

Each Local Association must select an Alternate State Delegate who will be elected pursuant to his Local Association's Bylaws unless a Local option is adopted stating he may be appointed by the Local Association's State Delegate. The Local Association must provide the name of the elected or appointed Alternate State Delegate to the State PBA within five (5) calendar day of said election or appointment. The primary duty of the Alternate State Delegate will be to attend the Board of State Delegates meeting(s), when the duly elected State Delegate is unable to attend. The Alternate State Delegate will be allowed to cast any vote(s) called for at a meeting

when he/she is in attendance in place of the duly elected State Delegate. A member, to be eligible for office, must have been a member of a Local Association for three (3) or more years at the time of nominations. This does not apply to a new Local Association with less than three (3) years affiliation. The official date of affiliation will be the date which appears on their Charter and concurs with the date of approval by the Board of State Delegates. The term of office for the elected or appointed Alternate State Delegate will coincide with the Local Association's State Delegate's term of office. Upon an Alternate State Delegate failing to complete his term for any reason, the Local Association will immediately upon termination conduct an election for the un- expired term.

Section 4 - LOCAL ASSOCIATION'S OPTION FOR APPOINTING AN ALTERNATE STATE DELEGATE

~~**Local option.** In lieu of an election, the local association's state delegate may appoint the alternate state delegate.~~

Section 5 - EXPANDING THE DUTIES OF THE LOCAL ASSOCIATION'S DULY AUTHORIZED 1st CONVENTION DELEGATE

The Local Association may expand the duties of the member elected as 1st duly authorized annual Convention Delegate pursuant to his Local Association's Bylaws to serve as the Local Association's Alternate State Delegate unless a Local option is adopted stating the Local Association's State Delegate may appoint and expand the duties of the 1st Convention Delegate, to serve as the Local Association's Alternate State Delegate. When the duties of the 1st Convention Delegate has been expanded, the Local Association will advise the State PBA of that fact and provide the name within five (5) calendar days of said member's election or appointment. Effective July 1, 2006, and each July 1st thereafter, the term of office for the 1st Convention Delegate serving as the Alternate State Delegate will be for one (1) year. Nothing in Article VII is intended to limit the number of authorized Delegates who may attend the convention on paid leave pursuant to State law or applicable collective bargaining agreement.

Section 6 - LOCAL ASSOCIATION'S OPTION FOR EXPANDING THE DUTIES OF THE DULY AUTHORIZED ANNUAL 1st CONVENTION DELEGATE

~~**Local option.** In lieu of an election and the decision by the Local Association to expand the duties of the duly authorized annual 1st Convention Delegate to serve as the Alternate State Delegate, the Local Association's State Delegate may appoint and expand the duties of the duly authorized annual 1st Convention Delegate to serve as the Alternate State Delegate.~~

Section 7 - LOCAL ASSOCIATION EXPENSES FOR STATE DELEGATE

Delegate expenses may be paid as they are incurred or per annum as follows: \$ 1760.00. This amount must defray all expenses of the State Delegate and must minimally reimburse State Board of Delegates and County Conference meeting attendances as follows:

0-20 miles	\$80
21-40 miles	\$90
41-60 miles	\$100
61 miles or more	\$110

ARTICLE VIII MEETINGS AND QUORUM

Section 1 - STATE ASSOCIATION

- A. State Delegates will attend all meetings of the Board of State Delegates unless excused by the State PBA President. It will be the duty of the State PBA President to notify the State Delegates of the time and place of each meeting. If a Local Association has designated the 1st Convention Delegate as their Alternate Delegate, the Alternate Delegate will be allowed to represent the Local Association during the State Delegates absence. Additionally, any Local Association President or Restricted Charter Local SOA President will be recognized to speak at an open meeting however, no member other than a State Delegate will nominate or second a nomination of any candidate, make or second a motion or vote on any matter(s) that is before the Board of State Delegates.
- B. Meetings of the Board of State Delegates will be held on the 2nd Tuesday of each month, unless circumstances warrant a different date and prior written notice is sent to each State Delegate.

Section 2 - MEETING NOTICES;

- A. LOCAL ASSOCIATION - The Local Association President will determine the date, time and location of the monthly or special meetings however, a meeting notice and agenda will be posted conspicuously to the Local Association's membership, ten (10) calendar days prior to said meeting.
- B. COUNTY CONFERENCE - The Chairperson of the Conference will determine the date, time and location of the monthly or special meetings however, a meeting notice and agenda will be mailed to each County Conference State Delegate ten (10) calendar days prior to said meeting. The Chairperson of the Conference may invite guests to an open meeting of the Conference.

Section 3 - QUORUM REQUIREMENTS

- A. STATE BOARD OF DELEGATES - A quorum at a Board of State Delegates meeting is defined as one third (1/3) of the total number of the Board of State Delegates. In the absence of a quorum, any business transacted will be null and void.
- B. LOCAL ASSOCIATION - A quorum for Local Associations with sixty (60) or more voting members will be ten percent (10%) or one-hundred (100) voting members at a General Membership meeting, whichever is less. A quorum for Local Associations with fifty-nine (59) or less voting members will be six (6) voting members at a General Membership meeting. In the absence of a quorum, any business transacted will be null and void.
 - 1. ~~Local option. A Local Association may amend their Bylaws to include an adjusted quorum percentile, however, said adjusted quorum percentile will be no less than ten percent (10%) but no more than thirty percent (30%) or one-hundred (100) voting members at a General Membership meeting, whichever is less. If this Local Option is selected, enter new quorum amount here: _____.~~

- C. COUNTY CONFERENCE - A quorum for a County Conference meeting is defined as a majority of the voting Local Associations represented within the Conference. In the absence of a quorum, any business transacted will be null and void.
- D. STATE, LOCAL AND COUNTY EXECUTIVE BOARDS - A majority of the State PBA, Local Association, or County Conference Executive Board members at an Executive Board meeting will constitute a quorum. In the absence of a quorum, any business transacted will be null and void.
- E. STATE, LOCAL AND COUNTY BOARD OF DIRECTORS - A majority of the State PBA, Local Association, or County Conference Board of Directors at a Board of Directors meeting will constitute a quorum. In the absence of a quorum, any business transacted will be null and void.
- F. STATE, LOCAL AND COUNTY COMMITTEES - A majority of the State PBA, Local Association, or County Conference Committee members at a Committee meeting will constitute a quorum. In the absence of a quorum, any business transacted will be null and void.

Section 4 - SPECIAL MEETING REQUIREMENTS

- A. STATE ASSOCIATION - Special meetings will be called by the President of this Association upon request of not less than one third (1/3) of the total number of Local Association State Delegates who are in good standing or when, in the judgment of the President, it may be deemed necessary. In the case of such special meeting, the object of said meeting will be stated in a notice to said State Delegates.
- B. LOCAL ASSOCIATION - Special meetings will be called by a Local Association President upon written request of one third (1/3) of the total number of voting members, or when, in his judgment, it may be necessary. In the case of such special meeting, the object of said meeting will be stated in a notice to said voting members.
- C. COUNTY CONFERENCE - Special meetings will be called by a County Conference Chairperson upon written request of one third (1/3) of the total number of voting Local Associations within the Conference, or when, in his judgment, it may be necessary. In the case of such special meeting, the object of said meeting will be stated in a notice to said voting Local Associations within the Conference.

Section 5 - RETIRED MEMBERS

- A. STATE ASSOCIATION - Retired members may attend all open meetings but will not nominate or second a nomination of any candidate, make or second a motion or vote on any matter(s) that is before the Board of State Delegates or hold any State Office in this Association.
- B. LOCAL ASSOCIATION - Retired members will only have a voice on fraternal matters of a Local Association. They will not nominate or second a nomination of any candidate, make or second a motion or vote on any matter(s) before the Local Association.
- C. COUNTY CONFERENCE - Only one (1) retired member of Local #600, approved by the County Conference, may attend an open meeting. Said retired member will only have a voice on fraternal matters of the Conference and will not nominate or second a

nomination of a candidate, make or second a motion or vote on any matter(s) before the Conference.

Section 6 - ASSOCIATE MEMBERS

- A. STATE ASSOCIATION - Associate members may attend all open meetings but will not nominate or second a nomination of any candidate, make or second a motion or vote on any matter that is before the Board of State Delegates or hold any State Office in this Association.
- B. LOCAL ASSOCIATION - Associate members will only have a voice on fraternal matters of a Local Association. They will not nominate or second a nomination of any candidate, make or second a motion or vote on any matters before the Local Association.

ARTICLE IX ANNUAL CONVENTION

Section 1 - ANNUAL CONVENTION COMMITTEE

- A. The State PBA President will appoint a Convention Committee of State Delegates. This Committee will be a permanent Committee of this Association and will be responsible for handling the arrangements and details of the Convention. Recommendations for the location of the annual convention site may be submitted to the Convention Committee in writing. The State PBA President, Executive Vice President, Executive Board, and the Convention Committee will select a site for the annual convention and will consider the following criteria:
1. Availability of accommodations;
 2. Adequacy of accommodations;
 3. Availability of extra convention activities;
 4. Travel and accommodation cost.

Section 2 - ANNUAL CONVENTION SITE SELECTION

- A. The site selected for the annual convention will be made known to the State Board of Delegates no later than the February monthly meeting of said annual convention and will stand unless rejected by a two-thirds (2/3's) majority of the Board of State Delegates attending the monthly meeting in which the site for the annual convention is announced.
- B. Once an annual convention site is selected by the Board of State Delegates, every Local Association attending must utilize the State Association travel package. If a Local Association does not comply with this requirement for any reason, it will pay a registration fee to the State PBA in the amount of seven hundred and fifty dollars (\$750.00) no later than thirty (30) calendar days to the start of the annual convention. The registration fee may be amended by a majority vote of the Board of State Delegates at a monthly meeting.
- C. In the event a Local Association decides not to travel with the State PBA and makes its own arrangements to attend a convention and an emergency arises, then that Local Association must make its own arrangements to take care of the emergency.

Section 3 - CONVENING THE ANNUAL CONVENTION

The annual convention will be held on four (4) or more consecutive days in the month of September, October, or November. The State PBA President or his designee will select the dates on which the convention is to be held however, to coincide with the term of office of the State PBA Executive Board, beginning in 2007 and each third year thereafter, the annual convention must be held in the month of September.

Section 4 - LOCAL ASSOCIATION'S DULY AUTHORIZED ANNUAL CONVENTION DELEGATES

Each Local Association must select two (2) duly authorized annual Convention Delegates who will be elected pursuant to the Local Association's Bylaws unless a Local option is adopted stating he may be appointed by the Local Association's State Delegate. The duly authorized

annual Convention Delegates will be elected in numerical order as the 1st and 2nd Convention Delegates and in a separate bracket from either the State Delegate or the Alternate State Delegate. The term of office for said Convention Delegates will expire the following year at the conclusion of the annual State PBA mini- convention.

Section 5 - LOCAL ASSOCIATION'S OPTION FOR APPOINTING THE DULY AUTHORIZED CONVENTION DELEGATES

~~**Local option.** In lieu of an election, the Local Association's State Delegate may appoint the duly authorized annual 1st and 2nd Convention Delegates.~~

Section 6 - REPRESENTATIVES TO THE ANNUAL AND MINI CONVENTION

- A. The convention delegation from each Local Association for any State PBA Annual Convention and Mini-Convention will be composed of any and all duly authorized representatives who will be designated and authorized to attend by each Local Association. Local Association's will have the sole authority to determine the number of duly authorized representatives to attend any State PBA Convention and Mini-Convention. One of the representatives must be the State Delegate or, in his absence, the Alternate State Delegate, who will cast the vote for the Local Association. In the State Delegate's or Alternate State Delegate's absence, the 1st duly authorized Convention Delegate will cast the Local Association's vote. The 1st and 2nd duly authorized Convention Delegates' duties apply only for the duration of the Annual Convention and Mini- Convention. Supervisor Officers will not be eligible to become the 1st Convention Delegate unless a Local Association adopts the Local Option in Article IV, Section 7 (I) of the Bylaws herein.
- B. The State Delegate will handle any additional monies allotted by the Local Association for expenses for other members of the Local who may be attending.

Section 7 - VALOR AWARDS FEE

The annual Valor Awards fee is mandatory for all Local Associations and must be payable to the New Jersey State PBA Survivor and Welfare Fund on or before the August monthly meeting of the Board of State Delegates. The annual Valor Awards fee may be amended by a majority vote of the Board of State Delegates at a monthly meeting.

Section 8 - STATE PBA BANQUET

In the event that the convention is held outside the territorial limits of the State of New Jersey, the annual banquet must be held in the State of New Jersey after the convention.

Section 9 - RESOLUTIONS

All resolutions for the annual convention must be submitted by the August meeting.

Section 10 - LOCAL ASSOCIATION'S RESPONSIBILITY

Local Associations will be responsible for any damage caused by any member or guest of their Local during any PBA convention or function. This determination will be made by the State PBA Executive Board after completing an investigation. Restitution for the damage must be

made by the Local Association within sixty (60) days after receipt of notification from the State PBA Executive Board. Failure to adhere to this requirement will subject the Local Association to revocation of its Charter.

Section 11 - ANNUAL MINI-CONVENTION

This Association will hold an annual mini-convention at a site within the State of New Jersey, selected by the State PBA President. The mini-convention will be held for a minimum of four (4) days and three (3) nights and the annual mini-convention fee is mandatory for all Local Associations and must be paid on or before the February monthly meeting of the Board of State Delegates. The annual mini-convention fee may be amended by a majority vote of the Board of State Delegates at a monthly meeting.

ARTICLE X ORGANIZATIONAL DISCIPLINE

Section 1 - STATE ASSOCIATION DIRECTIVE

- A. Any member of any Local Association who joins or become a member of any other police or law enforcement agency of which he or she is a member, the purpose of such organization being to represent police or law enforcement officers in matters affecting their employment or economic welfare, will be charged pursuant to Section 2 herein. This section will be inapplicable to the New Jersey Chiefs Association and the National Association of Police Organizations. In determining whether membership in any other police or law enforcement organization is a violation of this section, a member will submit a written inquiry to the President of this Association and any determination of the President relating to any other organization will constitute a sufficient basis for preferring charges.
- B. Any active, supervisor, associate or retired member who knowingly violates the established principles, Bylaws, rules or regulations of this Association, or through the commission of any act, word, deed that may be considered detrimental to this Association, will be subject to discipline.
- C. With the exception of the State PBA President or his designee, any member who divulges information, the business of this Association or matters debated on to individuals other than Association members, to organizations or to members not in good standing will be liable to expulsion, suspension or fine provided, that any fine imposed will not be less than \$500. This prohibition includes, but is not limited to, the releasing or divulging of addresses, telephone numbers, and mailing list, rosters of memberships or personal information of State Delegates or members of this Association or Local Association.

Section 2 - CHARGES

- A. Except for being temporarily removed from a Local Association's elected office or Executive Board, as set forth within these Bylaws, no member will be expelled, suspended, penalized or otherwise disciplined by a Local Association or this Association unless and until written charges are personally served upon the member or mailed to him, Certified Mail, Return Receipt Requested and a Judiciary Committee decision has been rendered, unless the seriousness of the charge(s) warrant an immediate suspension, pending approval of the Local Judiciary Committee's decision. No Local Association's Charter will be revoked or otherwise sanctioned or disciplined unless and until written charges are personally served upon the Local Association's President or mailed to him, Certified Return Receipt Requested. The written charges will contain a brief description of the fact(s), sufficient to give notice to the charged party of the alleged offense(s) and a Judiciary Committee decision has been rendered unless the seriousness of the charge(s) warrant an immediate sanction pending a State Judiciary Committee decision.

“The seriousness of charges” herein is defined as any deed that may cause serious harm to a member, the State PBA or a Local Association and immediate action is required to terminate the deed. Any sanction(s) imposed under these circumstances is automatically

appealed to the State Judiciary Committee. Additionally, sanction(s) imposed under these circumstances may be “stayed” by the Chairperson of the State Judiciary Committee pursuant to Article XVI, Section 4, pending an immediate hearing before the State PBA Judiciary Committee.

- B. Charges must be in writing, clearly stating the Article(s) of these Bylaws violated, duly signed by the Association or a member of this Association, and must be served not more than one-hundred-eighty (180) days following the offense(s), or the date upon which officially recognized evidence is obtained to substantiate the offense(s) upon which the charges are based. Failure to prefer charges within the aforesaid one-hundred-eighty (180) day period will bar all further action regarding the offense(s).
- C. A Supervisor, acting within the capacity of their rank, will not be charged with a violation of their oath or of these Bylaws, for normal actions required by their responsibilities within their respective law enforcement agency.
- D. Any member who is required to answer direct question(s) asked of them within a court of law, legal judicial hearing or trial, which answer may have a negative impact upon another member, will not be charged within their respective Local Association or this Association with violating these Bylaws.
- E. A member will not be subject to charges of a violation of these Bylaws while acting in accordance with the lawful authority of their law enforcement position, even if said action results in a negative impact upon another member.
- F. If charges are preferred at the Local Association level, copies of the charges are to be delivered to the President and the State Delegate of the Local Association. The Local Association’s President will then deliver the charges to the Chairperson of the Local’s Judiciary Committee which will process the matter in accordance with Article XV, Section 2 of these Bylaws. If charges are preferred at the State PBA level, copies of the charges are to be delivered or mailed, Certified Return Receipt Requested, to the State President. The State PBA President will then deliver the charges to the Chairperson of the State PBA Judiciary Committee which will process the matter in accordance with Article XV, Section 1 of these Bylaws.
- G. The expulsion, suspension, penalty, or other discipline will be effective on the fifth (5th) calendar day following the written decision unless the Chairperson of the State PBA Judiciary Committee grants a stay pending a hearing on an appeal.
- H. Hearings, administrative appeals procedures, stays and the exhaustion of remedies will be pursuant to Article XVI of the Association’s Bylaws.

Section 3 – SUSPENSION/EXPULSION

- A. STATE ASSOCIATION - Any Local Association or member whose membership has been suspended or expelled by the State PBA will be deemed a “Local Association not in good standing” or a “member not in good standing”.
- B. LOCAL ASSOCIATIONS AND COUNTY CONFERENCES - Any member whose membership has been suspended or expelled by a Local Association or County Conference will be deemed a “member not in good standing”.

ARTICLE XI

REMOVAL OF EXECUTIVE BOARD MEMBERS AND STATE DELEGATES

Section 1 - PROMOTIONS

Any Executive Board member of this Association, Local Association or County Conference who is permanently promoted to the rank of Sergeant or above pursuant to New Jersey Statute will no longer retain the position of Executive Board member and the President of this Association or Local Association or the Chairperson of a County Conference will declare the office vacant and filled pursuant to the Association's Bylaws. Notwithstanding the above, a vacant office of State Delegate will be filled pursuant to Article VII.

Section 2 - REMOVAL FROM OFFICE

Any State, Local Association or County Conference Executive Board member or State Delegate may be removed pursuant to Article X, Section 2, for incompetency, neglect of duty, failure to comply with the Bylaws of this Association or their Local Association or for conduct unbecoming their standing in this Association, their Local Association and County Conference.

Section 3 – REMOVAL OF STATE AND LOCAL ASSOCIATION EXECUTIVE BOARD MEMBERS

A. STATE ASSOCIATION

1. Executive Board members of this Association may be removed pursuant to Article X, Section 2, upon three (3) unexcused absences from three consecutive meetings of the State Board of Delegates or the Executive Board.
2. Notwithstanding the provisions of these Bylaws to the contrary, a majority vote of the Board of State Delegates at any regular meeting is necessary to remove any State Executive Board member or State Delegate of this Association. Written notice, by means of a letter mailed via first-class mail to each State Delegate of such action, will be mailed to all State Delegates at least ten (10) calendar days prior to said meeting and written notice by means of a letter mailed via first-class mail, setting forth the basis for such action, will be mailed Certified Return Receipt Requested to the State Executive Board member or State Delegate so charged at least thirty (30) calendar days prior to said meeting.

B. LOCAL ASSOCIATION

1. Local Association Executive Board members may be removed pursuant to Article X, Section 2, upon three (3) unexcused absences from three (3) consecutive meetings.
2. Notwithstanding the provisions of these Bylaws to the contrary, a majority vote of the total membership eligible to vote and in attendance at any regular meeting is necessary to remove an Executive Board member or State Delegate of this Local Association. Written notice, by posting in the area where meeting notices are normally posted; by hand-delivery; or by placing in each Local members mail slot at their place of employment, (headquarters, institution, etc.), of such action will be given to all members at least ten (10) calendar days prior to said meeting and written notice, by hand delivery, placing it in the member's mail slot at their

place of employment, or by mailing via first-class mail, setting forth the basis for such action will be given/mailed Certified Return Receipt requested, to the Executive Board member or State Delegate so charged at least thirty (30) days prior to said meeting.

Section 4 - APPEALS

Any State, Local Association Executive Board member, or State Delegate so removed will have the right to appeal to the State PBA Judiciary Committee pursuant to Article XVI, Section 3, of the Bylaws.

Section 5 - STAYS

Any State, Local Association Executive Board member, or State Delegate so removed will have the right to request a stay to the State PBA Judiciary Committee Chairperson pursuant to Article XVI, Section 4, of the Bylaws.

Section 6 - REMOVAL OF COUNTY CONFERENCE EXECUTIVE BOARD MEMBERS

- A. County Conference Executive Board members may be removed pursuant to Article X, Section 2, of the State PBA Bylaws upon three (3) unexcused absences from three (3) consecutive meetings.
- B. Notwithstanding the provisions of these Bylaws to the contrary, a majority vote of the total County Conference member Local Associations eligible to vote and in attendance at any regular meeting is required to remove an Executive Board member of this Conference. The Conference must provide written notice mailed to each County Conference member of such action, ten (10) calendar days prior to said meeting. Written notice of charges, hand delivery to the member's mail slot at their place of employment and by Certified Mail, Return Receipt Requested, setting forth the basis for such action to the Executive Board member so charged is required at least thirty (30) calendar days prior to said meeting.
- C. Any Conference Executive Board member may be removed pursuant to Article X, Section 2, for incompetency, neglect of duty, failure to comply with the Bylaws of this Conference or conduct unbecoming their standing in this County Conference.

Section 7 - APPEALS

Any Conference Executive Board member so removed will have the right to appeal to the State PBA Judiciary Committee pursuant to Article XVI, Section 3, of the State PBA Bylaws.

Section 8 - STAYS

Any Conference Executive Board member so removed will have the right to request a stay to the State PBA Judiciary Committee Chairperson pursuant to Article XVI, Section 4, of the State PBA Bylaws.

ARTICLE XII ELECTIONS AND ELIGIBILITY

STATE ASSOCIATION ELECTIONS AND ELIGIBILITY (Sections 1-8)

Section 1 - AMERICAN ARBITRATION ASSOCIATION

The State PBA President will enter into an agreement with the American Arbitration Association who will administer the elections for the State PBA Executive Board. The State PBA will abide with the election rules of the American Arbitration Association.

Section 2 - STATE PBA FINANCIAL AGREEMENT

- A. In order to afford the opportunity for State Delegates to seek the office of State PBA President or Executive Vice President and where there are no provisions in their respective Collective Bargaining Agreements, the following financial arrangement is authorized:

The Association will, if necessary, agree to reimburse the employer(s) of the State Delegates elected as State PBA President or Executive Vice President a sum of money annually, equal to the gross base salary which would normally be paid to that individual, if the employer(s) allows the State Delegate elected as State PBA President or Executive Vice-President to be fully released from their normal duties during their term(s). There will be a written agreement between the Association and the employer(s) outlining the procedures for reimbursement before any reimbursement is effectuated.

- B. In order to afford the opportunity for up to three (3) State Delegates to be retained as advisors, aides, and administrative staff to the State Association, the State President may appoint, subject to the approval of the State Executive Board and the Board of State Delegates, or retain a staff of employees for Association administrative purposes pursuant to Article XIII, Section 1(B) of the bylaws. Where there is a provision in their respective Collective Bargaining Agreements, the following arrangement is authorized:

The Association will, if necessary, agree to reimburse the employer(s) of up to three (3) State Delegates retained by the State PBA President a sum of money annually, equal to the gross base salary which would normally be paid to that individual, if the employer(s) allows the State Delegate appointed by the State PBA President to be fully released from their normal duties during their term(s). There will be a written agreement between the Association and the employer(s) outlining the procedures for reimbursement before any reimbursement is effectuated.

Section 3 - STATE PBA ELECTION COMMITTEE

There will be an Election Committee consisting of five (5) State Delegates appointed by the President prior to the January monthly meeting. The Chairperson is to be elected by the members of the Election Committee. The Election Committee will be the liaison for the State PBA and the outside independent neutral agency and will have all powers necessary to conduct a fair, open and complete election.

Section 4 - STATE PBA ELECTION RULES

Notwithstanding any rule(s) of the American Arbitration Association, if applicable, the following will be the State PBA Election Rules:

- A. The State PBA Executive Board and the Board of State Delegates will be elected to a three (3) year term of office and may be elected to succeed themselves to the same or any other office;
- B. Notwithstanding the provisions of the Constitution and Bylaws to the contrary, in the event the State PBA President retires from his position as a law enforcement officer at any time during his term, he will be permitted to continue as the State PBA President until the completion of his term, but will not be eligible for nomination and/or elected to a new term of office. Effective with the commencement of the September 2007 annual convention, this section will terminate and will be deemed null and void for the purpose of the State PBA Constitution and Bylaws;
- C. Beginning February 2007 and in February of each third year thereafter, nominations for office on the State PBA Executive Board will be made from the floor at the State Board of Delegates meeting. The incumbent officer(s)/slate will be allowed to nominate after all other nomination(s) have been made. Any State Delegate nominated for a State Office on the Executive Board at the February Board of State Delegates meeting who is promoted, retires, or leaves their employment, for any reason, prior to the April monthly meeting of the Board of State Delegates may be replaced by another nominee for that position under new business at the April monthly meeting of the Board of State Delegates. At the close of nominations, if a candidate is unopposed for a State Office, the Recording Secretary will cast one (1) vote, and that candidate will be deemed elected;
- D. Once nominated, a candidate may withdraw his name from nominations at any time up to the close of unfinished business of the April monthly meeting of the Board of State Delegates;
- E. Beginning June 2007 and in June of each third year thereafter, elections for the Executive Board of the State Association will be held at the June meeting of the Board of State Delegates and must be held within the State of New Jersey. The Election Committee Chairperson will declare the election results at this meeting;
- F. The State PBA President and the Executive Vice-Presidential candidates will run for election as a team. They will be voted on as one (1) and split votes between them will not be allowed. A vote for a nominee for State PBA President will also be counted as a vote for their Executive Vice President. The President and Executive Vice President of this Association, once elected to either of said offices, will be the permanent State Delegate from their respective Local Associations for such time as either holds the position of President or Executive Vice President and in the event of any conflict between the Local Association's Bylaws and the State PBA Bylaws, the State PBA Bylaws will prevail;
- G. Only the State or the duly authorized Alternate Delegate of a Local Association will be allowed to cast a ballot for their Local Association;
- H. The State or the duly authorized Alternate Delegate of a Local Association may vote for the candidate of their choice but will not be allowed to split their per-capita votes between individual candidates for the same office;

- I. The number of per-capita votes of a Local Association will be available pursuant to Article XVII, paragraph (G);
- J. All ballots will contain the Local Association name, Local number, per-capita votes and signature/printed name lines for the State or Alternate Delegate casting their vote;
- K. Proxy voting will not be allowed in this Association or any Local Association;
- L. Absentee Ballot voting will not be allowed for the State PBA, however, absentee balloting voting may be permitted as a Local Association's Option;
- M. A write-in vote will not be allowed at any election of this Association or any Local Association;
- N. Each candidate for office will be entitled to one poll watcher selected by the candidate. Either the candidate or their selected watcher may be present during the vote count; however, a candidate cannot be present during the actual voting process. When a slate of officers has been nominated, the Election Committee Chairperson will limit the number of poll watchers for that particular slate of candidates;
- O. The hours for the election vote will be determined by the Chairperson of the Election Committee however, each State or duly authorized Alternate Delegate will be given the opportunity to cast their vote until the vote is completed;
- P. There will be no electioneering or polling on the day of the election;
- Q. All elections held by the State Association, Local Associations or County Conferences will be governed by plurality vote. In an election, a candidate has a plurality when he has a greater vote than any other candidate for that elective state office;
- R. Beginning September 2007 and in September of each third year thereafter, the term of office for the State PBA Executive Board will commence at the start of New Business at the September annual convention;
- S. The Election Committee will be the custodians of the election ballots. The election ballots will not be destroyed until all challenges and appeals have been exhausted and only upon a motion adopted by the Board of State Delegates at a monthly meeting.

Section 5 - ELIGIBILITY FOR STATE OFFICE

- A. Only a State Delegate who has completed three (3) consecutive years as a State Delegate immediately prior to the date of nominations will be eligible for State Office in this Association. In addition, for State Delegate to be eligible for nomination to the State Executive Board they must have attended at least eighty percent (80%) of the monthly State Delegates meetings since the last election. Only those meetings where the State Delegate has been excused by the State PBA President, with an appropriate notation initialed by the State PBA President, or his designee, in the monthly State delegate sign in book, will be counted into the required minimum number of meetings.
- B. A newly elected State Delegate is not eligible to commence his term of office until he has completed the New Delegate Seminar and is sworn in before the Board of State Delegates. The date he is sworn will determine his eligibility for nomination.

Section 6 - CHALLENGES

- A. Any challenge relating to a nominee or his qualifications must be made via Certified Mail, Return Receipt Requested, addressed to the State PBA office, to the attention of the

State PBA President within seven (7) calendar days following the nomination. The State PBA President will notify the nominee who has been challenged, the Chairperson of the State PBA Judiciary Committee and the Chairperson of the Election Board of said challenge. The Chairperson of the State PBA Judiciary Committee will immediately commence a hearing pursuant to the State PBA Bylaws and retain jurisdiction of all election challenge.

- B. A challenge directed to a nominee or candidate for office or his qualifications or in any manner directed toward said nominee's eligibility for office must be made within seven (7) calendar days following the nomination and cannot be made after the election. The failure to assert any improprieties concerning a nominee or candidate for office within seven (7) calendar days of nominations will be deemed a waiver of any defect therein.
- C. Notwithstanding any election rule(s) of the American Arbitration Association, if applicable, any challenge relating to an election, its manner of conduct or improprieties must be made via certified mail, return receipt requested, addressed to the State PBA office, to the attention of the State PBA President within seven (7) calendar days following the election. The State PBA President will then follow the procedure outlined in paragraph (A) of this section. The failure to assert any improprieties concerning an election, its manner of conduct or improprieties within seven (7) calendar days following the election will be deemed a waiver of any defect thereto.
- D. The distinction between the challenge to a nominee or candidate for State Office and an election will be rigidly adhered to and enforced.

Section 7 - EXPIRATION OF TERM

- A. All State PBA Executive Board members or any Local Association Executive Board members, will have their books, records, files, papers, and other documents available at all times for the inspection of the State PBA Board of Trustees. All Executive Board members, upon expiration of their term of office or upon promotion, resignation, suspension, removal from office or upon retirement, resignation or dismissal from the police department or other law enforcement agency, will turn over to their successors in office or upon demand of this Association, all monies, books, records, files, papers or any other documents or matters in their possession which constitutes property of this Association.
- B. This section will not apply to the President of this Association who will turn over all money, records, books, files, papers or other documents or matters to the Executive Board upon demand.
- C. In the event the State PBA President and Executive Vice President are defeated for State PBA President and Executive Vice President, they will continue as their Local Association's State Delegate until their term as State Delegate expires or until the next regular election in their respective Local Association. Should the foregoing take place, the alternate State Delegate's term, if their Local Associations have elected one, will immediately expire.

**Section 8 - SALARIES AND TRAVELING EXPENSES OF THE STATE PBA
EXECUTIVE BOARD**

- A. The salaries of the State PBA President and Executive Vice President will be paid through a bi-weekly payroll system. The salaries will be as follows:

President.....\$100,000 per annum
Executive Vice President.....\$80,000 per annum

- B. The annual traveling expenses payable quarterly will be as follows:

Vice Presidents	\$1,800 per annum
Recording Secretary	\$3,000 per annum
Financial Secretary	\$3,000 per annum
Treasurer	\$3,000 per annum
Trustees	\$900 per annum
Sergeants-at-Arms	\$750 per annum
By-Laws Committee Chair	\$1,800 per annum
Judiciary Committee Chair	\$1,800 per annum
Media Relations Officer	\$1,800 per annum

- C. The annual salaries for up to three (3) State Delegates retained as advisors, aides, administrative staff to the State Association, and as representatives of this Association will be paid through a bi-weekly payroll system. The salaries will be as follows: \$45,000 per retained State Delegate per annum and they will be the permanent State Delegate from their respective Local Association(s) for such time as either holds the above-mentioned position(s).
- D. Thereafter, the State PBA Executive Board shall receive a yearly increase effective January 1. The Increase shall be calculated based on the average percentage increase received by all PBA Locals as per their collective Negotiation Agreements.

LOCAL ASSOCIATION ELECTIONS AND ELIGIBILITY (Sections 9-17)

Section 9 - OFFICERS, TRUSTEES AND STATE DELEGATES

- A. The Executive Board of a Local Association will be the Board of Officers as follows: President, Vice-President, Treasurer, Financial Secretary, Recording Secretary, Sergeants-at-Arms and the Board of Trustees unless Local Option Article V, Section 2A is adopted. The Board of Officers will be elected for a term of two (2) years. The Board of Trustees will be elected to a term as enumerated in Article V, section 2 (B).
- B. The State Delegate will be elected to three (3) year terms (Note: A newly elected State Delegate will commence his term pursuant to Article XII, Section 5B).
- C. The voting members of a Local Association will be notified ten (10) days prior to nominations with the date, time, and location of said nominations, elections and the election rules of the Local Association.

Section 10 - ELIGIBILITY FOR LOCAL ELECTIVE OFFICE

- A. Any member seeking an elective office in his or her Local must have been a member of his Local Association for three (3) or more years. When no member meets the three (3) year requirement for nominations to an elective office, only then will nominations be open to members with less than three (3) years.
- B. In the event a member quits the Local Association and returns or loses his membership for non-payment of dues or assessments, he or she would have to wait three (3) years to be eligible to run for Local office.

Section 11 - LOCAL ASSOCIATION OPTIONS FOR ELEGIBILITY FOR LOCAL ELECTIVE OFFICE

- A. **Local Option.** With the exception of the Local Association President or State Delegate, any member seeking an elective office in his or her Local must have been a member of his Local Association for three (3) or more years. When no member meets the three (3) year requirement for nominations to an elective office, only then will nominations be open to members with less than three (3) years. Any member seeking the office of Local Association President or State Delegate must have been elected to his or her Local Association's Executive Board for two (2) full terms prior to nominations for said Local Association President or State Delegate;
- B. **Local Option.** Any member appealing a termination from his or her employment as a Law Enforcement Officer may retain their membership in their Local Association and the Legal Protection Plan pending the exhaustion of the appeal(s) process and full payment of their Local Association's membership dues on the date determined by the Local Association. Pending the exhaustion of the appeal(s) process, said member will only have a voice on fraternal matters of this Local Association and will not hold any elective office, nominate or second any nominations of any candidate, make or second any motions or vote on any matter(s) before the Local Association until all appeal(s) are exhausted.
- C. ~~**Local Option.** Any member seeking an elective office in the Local Association must have attended at least 80% of the monthly Local meetings since the last election. Only those meetings where the member has been excused by the Local President will be counted into the required minimum number of meetings.~~

Section 12 - NOMINATIONS FOR LOCAL ELECTIVE OFFICES

- A. All Local Associations will nominate their Officers, Trustees and State Delegate at the regular meeting in May and elections will be held at their regular meeting in June. The Alternate State Delegate, 1st and 2nd annual Convention Delegates may be elected or as a Local option, appointed by the Local Association's State Delegate pursuant to Article VII, Section 3. The duly authorized 1st annual Convention Delegate may also serve as the Local Association's Alternate Delegate pursuant to Article VII, Section 3 (C).
- B. Upon ratification of these Bylaws, any Local Association not in compliance with Section (A) above will extend the term of their Officers, Trustees, State Delegate and Alternate State Delegate to the preceding month of May when nominations and elections for

Officers, State Delegate and Alternate State Delegate, if applicable, will be held in compliance with Section (A) above.

- C. In the event that any member of a Local Association will have been suspended or removed from his law enforcement duties during the period of nominations for office or the elections thereof, or both, said individual may be considered eligible for nomination or election, pending a departmental appeal, and if said individual is elected, he may hold office unless and until he is finally removed from his department following appeals.

Section 13 - AMERICAN ARBITRATION ASSOCIATION

~~**Local option.** The Local Association President will enter into an agreement with the American Arbitration Association who will administer the elections for elective office(s) of the Local Association. The Local Association will abide with the election rules of the American Arbitration Association.~~

Section 14 - LOCAL ASSOCIATION ELECTIONS RULES

- A. There will be an Election Committee consisting of three (3) members appointed by the Local Association's President prior to the May monthly meeting. The Chairperson is to be elected by the members of the Election Committee and said Committee will have all powers necessary to conduct a fair, open and complete election.
- B. Nominations for Office in a Local Association will be made from the floor at the May monthly meeting. The incumbents will be allowed to nominate after all other nomination(s) have been made. At the close of nominations, if a candidate is unopposed for Office, the Recording Secretary will cast one (1) vote, and that candidate will be deemed elected.
- C. Once nominated, a candidate may withdraw his name from nominations at any time prior to the adjournment of the May monthly meeting.
- D. Elections for Office in a Local Association will be held at the June monthly meeting and must be held within the State of New Jersey. The Election Committee Chairperson will declare the election results at this meeting.
- E. Proxy voting will not be allowed in this Local Association.
- F. Absentee Ballot voting may be permitted as a Local Association Option and only if the member is absent for good cause.
- G. A write-in vote will not be allowed at any election of this Local Association.
- H. Each candidate for office will be entitled to one poll watcher selected by the candidate. Either the candidate or their selected watcher may be present during the vote count; however, a candidate cannot be present during the actual voting process. When a slate of officers has been nominated, the Election Committee Chairperson will limit the number of poll watchers for that particular slate of candidates.
- I. The hours for the election vote will be determined by the Chairperson of the Election Committee however, each eligible member will be given the opportunity to cast his vote until the vote is completed.
- J. There will be no electioneering or polling on the day of the election.

- K. All elections held by this Local Association will be governed by plurality vote. In an election, a candidate has a plurality when he has a greater vote than any other candidate for that elective office.
- L. The Local Association's Election Committee will be the custodian of the election ballots. The election ballots will not be destroyed until all challenges and appeals have been exhausted pursuant to Articles XV and XVI of the State PBA Bylaws and only then, upon a motion adopted by the members at a monthly meeting.
- M. In the event that a Local Association fails to hold nominations and/or elections at the time noted in this Article, then only those members that would have been eligible when the time of nominations should have been held will be eligible when they are actually held. The term of office shall not be extended if nomination/elections are held late; it shall be retroactive to the time they were supposed to have taken place.

Section 15 - CHALLENGES OF LOCAL ASSOCIATION NOMINEES

- A. Any challenge relating to a nominee or his qualifications will be promptly made within seven (7) calendar days following the nomination. The failure to assert any impropriety concerning a nominee or candidate for office within such a period of time will constitute and be deemed a waiver of any defect therein. Any challenge relating to an election or its manner of conduct will be promptly made within seven (7) calendar days following the election. The failure to assert any impropriety concerning an election or its manner of conduct within such a period of time will constitute to be deemed a waiver of any defect thereto. A challenge directed to a nominee or candidate for office or his qualifications or in any manner directed toward said nominee's eligibility for office will be made within seven (7) calendar days following the nomination and cannot be made, in all events, following the election. Only questions or improprieties concerning the election itself can be made within seven (7) calendar days following election. The distinction between the challenge to a nominee or candidate for office and an election will be rigidly adhered to and enforced.
- B. Challenges enumerated in Section 6 (A) above, will be pursuant to Article XII, Section 6 and Articles XV and XVI of the State PBA Bylaws.

Section 16 - LOCAL ASSOCIATION EXPIRATION OF TERM OF OFFICE

All officers of a Local Association will have their books, records, files, papers, etc., available at all times for the inspection by the Board of Trustees. All officers, upon expiration of their term of office, or when promoted to the rank of a Supervisor, or when resigning from or upon dismissal from the police department, will turn over to their successors in office, or upon demand of this Association, all money, books, records, files, papers or any other matter in their possession which is or may be considered the property of this Association. This section will not apply to the President, who must turn over all money, records, books, files and papers, etc. to the Executive Board upon their demand.

Section 17 - LOCAL ASSOCIATION EXPENSES FOR OFFICERS, TRUSTEES AND STATE DELEGATE

- A. Expenses may be paid to each Officer, Trustee and State Delegate of this Local Association, per annum.

President	\$ 2,500
Vice-President	\$ 500
Recording Secretary	\$ 500
Treasurer	\$ 400
Financial Secretary	\$ 400
Sgt.-at-Arms	\$ 225
Trustee	\$ 225

- B. Delegate expenses are enumerated in Article VII, Section 7.

COUNTY CONFERENCES ELECTIONS AND ELIGIBILITY (Sections 18-25)

Section 18 - COUNTY CONFERENCES EXECUTIVE BOARD ELECTIONS AND ELIGIBILITY

- A. The Executive Board of this County Conference will be the Board of Officers as follows: Chairperson, Co-Chairperson, Treasurer, Financial Secretary, Recording Secretary, Sergeant-at-Arms and the Board of Trustees. The Board of Officers will be elected for a term of two (2) years. The Board of Trustees will be elected to a term as enumerated in Article V, section 2 (B) of the State PBA Bylaws.
- B. The voting member Local Associations of this Conference will be notified ten (10) calendar days prior to nominations with the date, time, and location of said nominations, elections and the election rules of this Conference.

Section 19 – COUNTY CONFERENCE ELIGIBILITY FOR ELECTIVE OFFICE

- A. Only a State Delegate will be elected to the position of County Conference Chairperson or Co-Chairperson.
- B. Any State Delegate seeking an elective office in the Conference must have been a State Delegate of his County Conference for three (3) or more years. When no State Delegate meets the three (3) year requirement for nominations to an elective office, only then will nominations be open to State Delegates of County Conference members within the Conference with less than three (3) years.
- C. **County option.** This Conference may allow Local Association Presidents to vote on fraternal issue(s) related to that Conference only, to seek elective office other than Chairperson or Co-Chairperson and vote in the Conference election process.
- D. In the event a Conference member quits the County Conference and returns or loses his membership for non-payment of dues or assessments, they would have to wait three (3) years to be eligible to run for County Conference office.

Section 20 – COUNTY CONFERENCE NOMINATIONS FOR ELECTIVE OFFICE

- A. The County Conference will nominate their Officers and Trustees at the regular meeting in May and elections will be held at their regular meeting in June.
- B. Upon ratification of these Bylaws, if the Conference is not in compliance with Section 11 (A) above, then it will extend the term of the Officers and Trustees to the preceding month of May when nominations and elections for Officers and Trustees will be held in compliance with Section 11(A) above.

Section 21 – COUNTY CONFERENCE AMERICAN ARBITRATION ASSOCIATION

County option. The Chairperson of this Conference will enter into an agreement with the American Arbitration Association, who will administer the elections for elective office(s) of the Conference. The County Conference will abide with the election rules of the American Arbitration Association.

Section 22 - COUNTY CONFERENCE ELECTIONS RULES

- A. There will be an Election Committee consisting of three (3) State Delegates appointed by the Chairperson of the Conference prior to the May monthly meeting. The Election Committee Chairperson is to be elected by the members of the Election Committee and said Committee will have all powers necessary to conduct a fair, open and complete election.
- B. Nominations for Office in the Conference will be made from the floor at the May monthly meeting. The incumbents will be allowed to nominate after all other nomination(s) have been made. At the close of nominations, if a candidate is unopposed for Office, the Recording Secretary will cast one (1) vote and that candidate will be deemed elected.
- C. Once nominated, a candidate may withdraw his name from nominations at any time prior to the adjournment of the May monthly meeting.
- D. Elections for Office in the Conference will be held at the June monthly meeting and must be held within the State of New Jersey. The Election Committee Chairperson will declare the election results at this meeting.
- E. Proxy voting will not be allowed in this County Conference.
- F. Absentee Ballot voting may be permitted as a Conference option and only if the member is absent for good cause.
- G. A write-in vote will not be allowed at any election of this Conference.
- H. Each candidate for office will be entitled to one poll watcher selected by the candidate. Either the candidate or their selected watcher may be present during the vote count; however, a candidate cannot be present during the actual voting process. When a slate of officers has been nominated, the Election Committee Chairperson will limit the number of poll watchers for that particular slate of candidates.
- I. The hours for the election vote will be determined by the Chairperson of the Election Committee however, each eligible member will be given the opportunity to cast his vote until the vote is completed.
- J. There will be no electioneering or polling on the day of the election.

- K. All elections held by this Conference will be governed by plurality vote. In an election, a candidate has a plurality when he has a greater vote than any other candidate for that elective office.
- L. The County Conference Election Committee will be the custodian of the election ballots. The election ballots will not be destroyed until all challenges and appeals have been exhausted pursuant to Articles XV and XVI of the State PBA Bylaws and only then, upon a motion adopted by the members at a monthly meeting.

Section 23 - CHALLENGES OF COUNTY CONFERENCE NOMINEES

- A. Any challenge relating to a nominee or his qualifications will be promptly made within seven (7) calendar days following the nomination. The failure to assert any impropriety concerning a nominee or candidate for office within such a period of time will constitute and be deemed a waiver of any defect therein. Any challenge relating to an election or its manner of conduct will be promptly made within seven (7) calendar days following the election. The failure to assert any impropriety concerning an election or its manner of conduct within such a period of time will constitute to be deemed a waiver of any defect thereto. A challenge directed to a nominee or candidate for office or his qualifications or in any manner directed toward said nominee's eligibility for office will be made within seven (7) calendar days following the nomination and cannot be made, in all events, following the election. Only questions or improprieties concerning the election itself can be made within seven (7) calendar days following election. The distinction between the challenge to a nominee or candidate for office and an election will be rigidly adhered to and enforced.
- B. Challenges enumerated in Section 6 (A) above, will be pursuant to Article XII, Section 6 and Articles XV and XVI of the State PBA Bylaws.

Section 24 - COUNTY CONFERENCE EXPIRATION OF TERM OF OFFICE

All Officers of the Conference will have their books, records, files, papers, etc., available at all times for the inspection by the Board of Trustees. All Officers, upon expiration of their term of office, or when promoted to the rank of a Supervisor, or when resigning from or upon dismissal from the police department, will turn over to their successors in office, or upon demand of this Conference, all money, books, records, files, papers or any other matter in their possession which is or may be considered the property of this Conference. This section will not apply to the Chairperson, who must turn over all money, records, books, files and papers, etc. to the Executive Board upon their demand.

Section 25 - COUNTY CONFERENCE OPTION FOR EXPENSES FOR OFFICERS AND TRUSTEES

County option. Expenses may be paid to each Officer and Trustee of this County Conference, per annum.

ARTICLE XIII

DUTIES OF OFFICERS

Section 1 – PRESIDING OFFICERS

A. STATE PBA PRESIDENT

1. The State PBA President is the Chief Executive Officer and the Chairperson of the Board of Directors of this Association and will have the duty to call the monthly meetings of the Board of State Delegates; to convene the annual convention and mini-convention; and to conduct the monthly meetings of the Board of State Delegates in accordance with these Bylaws and accepted parliamentary procedures.
2. The President of this Association will preside at all meetings; enforce the strict observance of the Constitution and Bylaws of this Association; advise this Association in its work and proceedings; verify that all Officers perform their appropriate duties; decide questions of order, subject to appeal of the membership present at such meetings; appoint all committees; sign all Charters and orders; countersign all checks on the treasury for money to be paid by this Association; sign all legal documents and other necessary instruments; call special meetings when, in his judgment, they will be necessary for the best interests of this Association; attend any County Conference or Local Association meetings to observe their functioning, assist, report and answer any questions relating to State Association matters; perform any other duties as may be prescribed herein or assigned by this Association; call upon any member(s) for aid, assistance, or instruction on any business; and if said member(s) refuses to comply with such notice without a reasonable basis for such failure said member(s) may be suspended by the President and charged pursuant to Article X, Section 2. The President will retain advisors aides, consultants in the fields of labor, legislation, legal, retirement and/or public relations as representatives of this Association subject to the approval of the Board of State Delegates. The President will be empowered to retain a staff of employees for Association administrative purposes.
3. The State PBA President will create a Standing Committee consisting of the Chairperson of each County Conference for the purpose outlined in Article I, Section 3 and any other duties assigned by the State PBA President, necessary for the best interests of this Association.
4. Requests for the temporary removal of a Local Association's President or other Executive Board member for conduct detrimental to the Local Association must be submitted in writing to the State PBA President. Upon receipt of said request, the State PBA President will forward the request to the named Local Association's President or other Executive Board member via Certified Mail, return Receipt Requested. The named Local Association's President or other Executive Board member will have seven (7) calendar days to respond. The State PBA Executive Vice President will be responsible with convening a meeting of or polling the State PBA Executive Board for a recommendation for approval or rejection. Said recommendation must be rendered by the State PBA Executive

Board in writing within three (3) working days and forwarded to the State PBA President. Upon receiving the State PBA Executive Board's recommendation, the State PBA President will have the authority to temporarily remove the named Local Association President or other Executive Board member however, any member so removed may request a stay pursuant to Article XVI. If a stay is denied then this temporary removal will be effective until such time as the requirements of Article X and/or Article XVI of these Bylaws have been completed.

5. The State PBA President will be ex-officio member of all committees and of the Board of Trustees, but will not be entitled to vote on such committees. On all other matters the President will be entitled to vote in the same manner as all other State Delegates. In the event the members are equally divided on pending questions, the President will, in addition to his vote as a State Delegate, cast the deciding vote.

B. LOCAL ASSOCIATION PRESIDENT

1. The President of this Local Association will have the power to call monthly meetings and to conduct the meetings in accordance with these Bylaws and parliamentary procedure by Roberts Rules.
2. The president will be the Chief Executive Officer of this Local Association. The President will preside at all meetings; enforce the strict observance of the Constitution and Bylaws of this Local Association, advise the Local Association in its work and proceedings; see that all officers perform their respective duties; decide questions of order, subject to appeal of the membership present at such meetings; sit as judge and declare the result of all elections; appoint all committees; sign all orders; countersign all checks on the treasury for money ordered paid by the Local Association, sign all legal documents and other instruments of this Local Association, call special meetings when, in his judgment, it will be necessary for the best interest of the Local Association to hold such meetings, or when requested by the members; call upon any member for aid or assistance; and perform any and all such other duties as may be prescribed by these Bylaws or assigned to them by the Local Association.
3. The President will be ex-officio member of all committees and of the Board of Trustees, but will not be entitled to vote, except when balloting for a candidate at an election of officers or when the members are equally divided on other questions, when he will have the deciding vote.
4. The President is authorized and empowered to summon any member of this Local to appear at any regular or special meeting of the Local for the purpose of ascertaining information in connection with the business of the Local. Any member refusing to comply with any such summons will be subject to suspension pending formal charges pursuant to Article X.
5. The President may appoint not more than two (2) members of the Local to serve as additional members of the Local's Executive Board, which normally will consist only of elective officers of the Local Association. In multi-town Locals, he

may appoint one (1) representative and/or an alternate from each municipality within the Local.

C. COUNTY CONFERENCE CHAIRPERSON

1. The Chairperson of this Conference will have the power to call monthly meetings and to conduct the meetings in accordance with these Bylaws and parliamentary procedure by Roberts Rules.
2. The Chairperson will be the Chief Executive Officer of this Conference. The Chairperson will preside at all meetings; enforce the strict observance of the Constitution and Bylaws of this
3. Conference, advise the Conference in its work and proceedings; see that all officers perform their respective duties; decide questions of order, subject to appeal of the membership present at such meetings; sit as judge and declare the result of all elections; appoint all committees; sign all orders; countersign all checks on the treasury for money ordered paid by the Conference, sign all legal documents and other instruments of this Conference, call special meetings when, in his judgment, it will be necessary for the best interest of the Conference to hold such meetings, or when requested by the members; call upon any member for aid or assistance; and perform any and all such other duties as may be prescribed by these Bylaws or assigned to them by the Conference.
4. The Chairperson will be ex-officio member of all committees and of the Board of Trustees, but will not be entitled to vote, except when balloting for a candidate at an election of officers or when the members are equally divided on other questions, when he will have the deciding vote.
5. The Chairperson is authorized and empowered to summon any member of this Conference to appear at any regular or special meeting of the Conference for the purpose of ascertaining information in connection with the business of the Conference. Any member refusing to comply with any such summons will be subject to suspension pending formal charges pursuant to Article X of the State PBA Bylaws.
6. The Chairperson may appoint not more than two (2) members of the Conference to serve as additional members of the Conference's Executive Board, which normally will consist only of elective officers of the Conference.

Section 2 - STATE ASSOCIATION EXECUTIVE VICE PRESIDENT

- A. The State Association Executive Vice President will aid and assist the State PBA President in conducting meetings and in the related affairs of the State Association. The Executive Vice President will have the right to attend any County Conference or Local Association meetings to observe their functioning, assist, report and answer any questions relating to State Association matters.
- B. In the absence of the State PBA President, the State Executive Vice President will assume the authority, duties and responsibilities of the State PBA President. In the event of the death, resignation, retirement, removal from office or permanent incapacity of the

State PBA President, the State Executive Vice President will become the President of the State Association.

- C. Should the office of State PBA Executive Vice President be vacated, the State PBA President will appoint a member of the State Executive Board to the office of State PBA Executive Vice President. All members of the State Executive Board below the position of the Executive Board member appointed as State Executive Vice President will move up on the State Executive Board accordingly.

Section 3 - VICE PRESIDENTS / CO-CHAIRPERSONS

A. STATE ASSOCIATION VICE PRESIDENTS

1. The Vice Presidents will observe and obey all orders of the State PBA President and in the absence or disability of the State PBA President, the State Executive Vice President.
2. In the event of the death, resignation, retirement, removal from office or permanent incapacity of the State PBA President and the State Executive Vice President, then the Vice Presidents in order of their numerical designation, respectively, will assume the authority of the President and the State PBA Executive Vice President will be selected as enumerated in Section 2 above, until the next election of the State PBA Executive Board.

B. LOCAL ASSOCIATION VICE PRESIDENT

1. The Vice President will observe and obey all orders of the Local Association's President and in the absence or disability of the Local Association President then the Vice President will assume the authority of the Local Association President.
2. In the absence of the Local Association's President, the Vice President will assume the authority, duties and responsibilities of the Local Association President. In the event of the death, resignation, retirement, removal from office or permanent incapacity of the Local Association President, then the Vice President will assume the authority of the Local Association President until the next election of the Local Association's Executive Board.

D. COUNTY CONFERENCE CO-CHAIRPERSON

1. The Co-Chairperson of this Conference will observe and obey all orders of the Chairperson and in the absence or disability of the Chairperson then the Co-Chairperson will assume the authority of the County Conference Chairperson.
2. In the absence of the County Conference Chairperson, the Co-Chairperson will assume the authority, duties and responsibilities of the County Conference Chairperson. In the event of the death, resignation, retirement, removal from office or permanent incapacity of the County Conference Chairperson, then the Co-Chairperson will assume the authority of the County Conference Chairperson until the next election of the County Conference's Executive Board.

Section 4 - TREASURER

A. STATE ASSOCIATION TREASURER

1. It will be the duty of the Treasurer to receive all money due this Association from whatever source from the Financial Secretary, giving a receipt therefore. The Treasurer will be chief custodian and disbursing officer of the funds of this Association, he will attend all meetings of the Board of Trustees, file and preserve all orders on the treasury as vouchers and make all payments by check, if countersigned by the State PBA President, keep records of all monies of this Association in a bank or banks upon approval of the Board of Trustees, have an annual report prepared for settlement as of the January meeting of the State Board of Delegates for the prior calendar year comprising cash received, purpose and expenses of the Association in detail and submitting a copy to the Recording Secretary for entry in the minutes. The Treasurer will also prepare a monthly report and perform such other duties as may be prescribed.

B. LOCAL ASSOCIATION TREASURER

1. It will be the duty of the Treasurer to receive all money from the Financial Secretary due the Local from whatever source, giving a receipt for same. The Treasurer will be chief custodian of the funds of the Local received by him and disbursing officer for same; will pay no money except on an order signed by the President; will attend all meetings of the Board of Trustees; will file and preserve all such orders on the treasury as vouchers. All payments will be made by check, countersigned by the President. The Treasurer will keep an accurate record of all money received and paid; deposit all money of this Local in a secure bank or banks with the sanction and approval of the Board of Trustees; have all accounts ready for settlement in the month of June of each year; make a semi-annual statement in triplicate, comprising of the following items: Cash received and for what purpose and expense of the Local. One copy will be submitted to the Recording Secretary, which will be entered in the minutes, the other copy submitted to the Board of Trustees, the original to be retained by the Treasurer, the contents of which will be made known to the members present at the June meeting of each year; and perform such other duties as prescribed by the Local.
2. The Treasurer will be bonded for the proper performance of his duties and the faithful accounting of all money received by him, which bond will remain in the custody of the Board of Trustees. The Trustees will fix the sum of the bond subject to the approval of this Association, which bond will be executed by a responsible security organization with all costs of said bond to be defrayed by the Local Association.

C. COUNTY CONFERENCE TREASURER

1. It will be the duty of the Treasurer to receive all money from the Financial Secretary due the Conference from whatever source, giving a receipt for same. The Treasurer will be chief custodian of the funds of the Conference received by him and disbursing officer for same; will pay no money except on an order signed

by the Conference Chairperson; will attend all meetings of the Board of Trustees; will file and preserve all such orders on the treasury as vouchers. All payments will be made by check, countersigned by the Conference Chairperson. The Treasurer will keep an accurate record of all money received and paid; deposit all money of this Conference in a secure bank or banks with the sanction and approval of the Board of Trustees; have all accounts ready for settlement in the month of June of each year; make a semi-annual statement in triplicate, comprising of the following items: Cash received and for what purpose and expense of the Conference. One copy will be submitted to the Recording Secretary, which will be entered in the minutes, the other copy submitted to the Board of Trustees, the original to be retained by the Treasurer, the contents of which will be made known to the members present at the June meeting of each year; and perform such other duties as prescribed by the Conference.

2. The Treasurer will be bonded for the proper performance of his duties and the faithful accounting of all money received by him, which bond will remain in the custody of the Board of Trustees. The Trustees will fix the sum of the bond subject to the approval of this Association, which bond will be executed by a responsible security organization with all costs of said bond to be defrayed by the County Conference.

Section 5 - FINANCIAL SECRETARY

A. STATE ASSOCIATION FINANCIAL SECRETARY

1. The Financial Secretary will keep an accurate account of the standing of each Local Association in this Association, giving a receipt therefore, and will turn over all money so received to the Treasurer of this Association in return for a receipt. He will prepare a monthly report in writing to be included in the minutes. He will prepare an annual report to be submitted by the January meeting of the State Board of Delegates for the prior calendar year, to be comprised of cash received and the purpose and disposition of the same, the names of all Local Associations with any arrearage in their per-capita tax, assessments or outstanding loans on or before the date specified for the payment of same, and announce at the November meeting the names of all Local Associations in arrears. He will maintain a roster record of the individual members of each Local Association, issue a yearly traveling and dues card and execute such other duties as may be prescribed by this Association.
2. The President, Executive Vice President, Treasurer and Financial Secretary of the State PBA will be bonded in the sum to be fixed by the Trustees and approved by this Association, the same to be maintained in the custody of the Board of Trustees and to be administered in the same manner as that of the bond pertaining to the Treasurer. The Financial Secretary will attend all meetings of the Trustees.

B. LOCAL ASSOCIATION FINANCIAL SECRETARY

1. It will be the duty of the Financial Secretary to keep an accurate account of all money collected, give a receipt and pay all monies so received to the Treasurer, obtaining a receipt for same. He will have the Local's accounts ready for

settlement in the month of June of each year and will make a semi-annual statement in triplicate comprising the following items: Cash received and for what purpose and disposition of the same; names of all members dropped from the rolls of membership, together with the cause of such action, one copy to be submitted to the Board of Trustees and one to the Recording Secretary, the original to be made known to the members present at the June meeting of each year. He will forthwith notify by Certified Mail, Return Receipt requested, all members of this Local who are in arrears for their dues and assessments, also all members who have failed to pay their dues on or before the date specified for the payment of same, and he will announce at the open meeting the names of all members who are in arrears. He will keep a card index record of the members of this Local. He will issue the yearly traveling and dues card; and perform such other duties prescribed by the Local as the president may at any time direct.

2. The President, Treasurer, and the Financial Secretary of a Local Association will execute a bond in a sum to be fixed by the Trustees and approved by the Local Association which will be placed in the custody of the Board of Trustees and handled in the same manner as the Treasurer's bond. The Financial Secretary will attend all meetings of the Trustees.

C. COUNTY CONFERENCE FINANCIAL SECRETARY

1. It will be the duty of the Financial Secretary to keep an accurate account of all money collected, give a receipt, and pay all monies so received to the Treasurer, obtaining a receipt for same. He will have the Conference accounts ready for settlement in the month of June of each year and will make a semi-annual statement in triplicate comprising the following items: Cash received and for what purpose and disposition of the same; names of all members dropped from the rolls of membership, together with the cause of such action, one copy to be submitted to the Board of Trustees and one to the Recording Secretary, the original to be made known to the members present at the June meeting of each year. He will forthwith notify by Certified Mail, Return Receipt requested, all members of this Conference who are in arrears for their dues and assessments, also all members who have failed to pay their dues on or before the date specified for the payment of same, and he will announce at the open meeting the names of all members who are in arrears. He will keep a card index record of the members of this Conference. He will issue the yearly traveling and dues card; and perform such other duties prescribed by the Conference as the Chairperson may at any time direct.
2. The Chairperson, Treasurer, and the Financial Secretary of the County Conference will execute a bond in a sum to be fixed by the Trustees and approved by the Conference which will be placed in the custody of the Board of Trustees and handled in the same manner as the Treasurer's bond. The Financial Secretary will attend all meetings of the Trustees.

Section 6 - RECORDING SECRETARY

A. STATE ASSOCIATION RECORDING SECRETARY

1. The State PBA Recording Secretary will keep and have full charge of the minute books and the general roll book. The Recording Secretary will keep an accurate record of all proceedings of meetings and a correct account of the total membership of this Association. The Recording Secretary will tape record and have transcribed the minutes of each monthly meeting immediately following said meeting. The Recording Secretary will make sure that typed minutes of the proceedings of the previous meeting, together with all communications, reports, petitions, bills, etc., are provided to all State Delegates present at each regular monthly meeting, or special meeting, if so directed. The Recording Secretary will attend and perform the duties of Secretary at all meetings of the Executive Board and render a report at each meeting as to the recommendations made by said Board.
2. The Recording Secretary will have his records prepared for settlement at the annual convention; conduct correspondence as may be necessary; and upon the death of any State Delegate will immediately notify all State Delegates by telephone or other means of communication. The Recording Secretary will maintain a roster record of the individual members of each Local Association and perform such other duties as may be prescribed by this Association.

B. LOCAL ASSOCIATION RECORDING SECRETARY

1. It will be the duty of the Local Association's Recording Secretary to keep and have full charge of the minute book and the general roll call. He will keep an accurate record of the proceedings of the meetings and a correct account of the total membership of the Local Association. He will read the proceedings of the previous meeting together with all communications, reports, petitions, bills, etc., to the members present at each regular meeting or at a special meeting if directed to do so. He will attend and perform the duties of secretary at all meetings of the Executive Board, rendering a report at each meeting as to the recommendations made by the said Board. In the event of there being no meeting of the said Board, he will so state. The Recording Secretary will keep a card index file or a record of the members of the Local Association and perform such other duties as prescribed by the Local Association and the President; and conduct correspondence as necessary.

C. COUNTY CONFERENCE RECORDING SECRETARY

1. It will be the duty of the County Conference Recording Secretary to keep and have full charge of the minute book and the general roll call. He will keep an accurate record of the proceedings of the meetings and a correct account of the total membership of the Conference. He will read the proceedings of the previous meeting together with all communications, reports, petitions, bills, etc., to the members present at each regular meeting or at a special meeting if directed to do so. He will attend and perform the duties of secretary at all meetings of the Executive Board, rendering a report at each meeting as to the recommendations

made by the said Board. In the event of there being no meeting of the said Board, he will so state. The Recording Secretary will keep a card index file or a record of the County Conference members and perform such other duties as prescribed by the Conference Chairperson and conduct correspondence as necessary.

Section 7 - SERGEANT-AT-ARMS

A. STATE ASSOCIATION SERGEANT-AT-ARMS

1. The State PBA Sergeants-at-Arms will enforce order at all meetings, particularly as to those attending and their right to attend. They will remain at the entrance door and permit no person to enter without being properly vouched for and identified. A Sergeant-at-Arms will also require all State Delegates to sign the official record book prior to entering the meeting.

B. LOCAL ASSOCIATION SERGEANT-AT-ARMS

1. The Local Association's Sergeant-at-Arms will enforce order at all meetings, particularly as to those attending and their right to attend. He will remain at the entrance door and permit no person to enter without being properly vouched for and identified.

C. COUNTY CONFERENCE SERGEANT-AT-ARMS

1. The County Conference Sergeant-at-Arms will enforce order at all meetings, particularly as to those attending and their right to attend. He will remain at the entrance door and permit no person to enter without being properly vouched for and identified.

ARTICLE XIV ATTORNEY

Section 1 - STATE ASSOCIATION

- A. The State PBA President will appoint an attorney or attorneys to represent this Association, such appointments to be made only with the approval of the Board of State Delegates.
- B. The attorney or attorneys will perform such services as required of them by the President of this Association with the approval of the Board of State Delegates.
- C. The attorney or attorneys will receive as an annual retainer fee the total of seven thousand five hundred dollars (\$7,500) for the following services:
 - 1. Attendance at monthly Board of State Delegate meetings;
 - 2. All Executive Board meetings;
 - 3. The annual convention and other routine Association matters.
 - 4. The attorney(s) will also be responsible for supervising and overseeing all legal matters relating to this State Association.
- D. No vote may be taken on a request for legal aid from any Local Association unless the matter has first been referred to the State Attorney who will report in writing to the State PBA President and the State Executive Board.
- E. Any State Delegate who has a legal question between meetings concerning State PBA business will first call the State PBA President and receive the President's approval to call the attorney. Such matters will be chargeable to the State PBA provided the State PBA President grants his approval.
- F. If a State Delegate has a question concerning a Local matter between meetings, he may call the State attorney directly but said matter may be charged accordingly directly to that Local Association.
- G. If a State Delegate has received an opinion from another attorney on a Local Association or State PBA matter which may have a statewide impact, he will notify the State PBA attorney pursuant to Section 5 above, both verbally and in writing, with copies of the written material to the State PBA Attorney being sent to the State PBA President.

Section 2 - LOCAL ASSOCIATION

- A. The President will appoint an attorney(s) to represent this Local Association, such appointment to be made only with the approval of the members.
- B. The duties of the attorney will be to advise on all legal matters pertaining to the good and welfare of the Local Association. The attorney will advise on and render all legal opinions requested by the President of this Local Association. In the event of court litigation which may require his services, he will be paid a separate fee.
- C. Said attorney will serve at the pleasure of the Local Association's President but in no event is the attorney to serve beyond the term of the Local Association President.

Section 3 - COUNTY CONFERENCE

- A. **County option.** The Chairperson of the County Conference may appoint an attorney(s) to represent the Conference. Said appointment must be made only with the approval of the County Conference members.
- B. If so appointed, the duties of the attorney will be to advise on all legal matters pertaining to the good and welfare of the Conference. The attorney will advise on and render all legal opinions requested by the Chairperson. In the event of court litigation which may require his services, he will be paid a separate fee.
- C. If so appointed, said attorney will serve at the pleasure of the Chairperson but in no event is the attorney to serve beyond the term of the Chairperson.

ARTICLE XV

JUDICIARY COMMITTEE

Section 1 - STATE ASSOCIATION

- A. The President of the Association will appoint a State PBA Judiciary Committee consisting of five (5) or more Delegates; each must have served as Delegate for at least two (2) years in this Association. The President of this Association will designate one of the State Delegates as Chairperson of this Committee who will serve at the pleasure of the President. The President will refer all charges, stays and appeals to the State PBA Judiciary Committee, which is authorized and empowered to investigate said charges, stays and appeals and conduct hearings or trials. In the event that charges are preferred by or against the President of this Association, or in the event that the President seeks to file a stay or appeal of any action taken against him, the Executive Vice President will appoint a special Judiciary Committee as aforesaid to hear the matter, except if the President of the State Association prefers charges against the Executive Vice President, or vice-versa, then the first listed Vice President will appoint said committee. Any Judiciary Committee empanelled is empowered to summon or request any State Delegate or member to appear before said Judiciary Committee and testify with respect to the issue(s) of investigation.
- B. The trial of all charges and the hearings on all appeals will be held before the State PBA Judiciary Committee at such time and place as the State PBA Judiciary Committee may determine and within thirty (30) days of notice and receipt of charges or appeal. The Complainant and Respondent may each be represented by a member of the State PBA. They also may bring an attorney however; they will be responsible for paying the cost of their attorney's fees. The attorney will have no right to participate in the hearing but may be present solely to advise the Appellant and not to present their case.
- C. All decisions of the Judiciary Committee will be in writing and will be final unless rejected by a two-thirds vote of the Board of State Delegates as a result of an appeal filed in accordance with the provisions of Article XVI of the Bylaws; however, the decision of the State PBA Judiciary Committee will be valid and binding upon this Association until such time.
- D. There is no jurisdictional limit on the discretion of the Board of State Delegates, including the right to overturn the decision, or to remand the matter back to the Judiciary Committee to increase/decrease the recommended penalty by the Judiciary Committee of a disciplined member.
- E. The Local Delegate and President shall be notified of all actions taken by the State, County, or Local Judiciary Committees when one of their members are involved in any proceedings involving PBA charges. This includes but is not limited to: Nature of the charges, hearing dates, appeals and members called as witnesses, etc.

Section 2 - LOCAL ASSOCIATION

- A. The President of each Local Association will appoint a Local Judiciary Committee consisting of five (5) members; each must have been a member of the said Local Association for at least two (2) years. The President of the Local Association will

designate one of the members as Chairperson of the Committee who will serve at the pleasure of the President. The President will refer all charges to the Local Judiciary Committee, which is authorized and empowered to investigate said charges and conduct hearings. In the event that charges are preferred by or against the President of the Local Association, the Vice President will appoint a special judiciary committee as aforesaid to hear the matter, except if the President prefers charges against the Vice President, or vice-versa, then the Local's Treasurer will appoint said committee. Any Judiciary Committee empanelled is empowered to summon or request any member to testify with respect to the issue(s) of investigation.

- B. The trial of all charges will be held before the Local Judiciary Committee at such time and place as the Local Judiciary Committee may determine and within thirty (30) days of notice and receipt of charges. The complainant and respondent may each be represented by a member of the Local Association or an attorney, provided, however, that the Local Association will not be responsible for the cost of an attorney. It is understood that any attorney appearing before a Judiciary Committee hearing on behalf of the client is there solely to advise the client and not to pre- sent their case.
- C. All decisions of the Local Judiciary Committee will be in writing and will be final unless rejected by a 2/3's vote of the members present at the meeting when the aforesaid decision is rendered and submitted, provided that prior notice will be given to all members of the Local, as part of the usual meeting notice, advising of the fact that the Judiciary Committee will be rendering a decision on a particular matter. The decision of the Local Judiciary Committee may be appealed to the State PBA pursuant to Article XVI, Section 3. The filing of such an appeal will not constitute a stay of action taken by the Local Association's Judiciary Committee. Applications for a stay must be filed in writing with the State PBA President pursuant to Article XVI, Section 4;
- D. Whenever fraternal charges are preferred against a Supervisor Officer within a Local Association, by a rank-and-file member of the Association, the President of that Association will assign some Supervisor Officers to the Judiciary Committee for that hearing only. The Chairperson of the Judiciary Committee will remain a rank-and-file member;
- E. Local Associations who have a Supervisor Officers Associations will not be responsible for any Judiciary Committee hearings on infractions made by a member of their SOA. Any SOA member may prefer charges against another member of their SOA and the matter will be heard before the SOA's Judiciary Committee. Appeals from those hearings will be forwarded to the State President and will be handled the same as any other appeal covered by these Bylaws.

Section 3 - COUNTY CONFERENCE

- A. Each County Conference within this Association will establish a standing Judiciary Committee consisting of five (5) or more Delegates who will be appointed by the Conference Chairperson. Each Delegate appointed must have served as Delegate for their Local for at least two (2) years.
- B. The County Conference Judiciary Committee will be empowered to conduct the initial hearings on charges between Local Associations, or members of different Local

Associations, within their respective County Conference which have been assigned to it, and/or any other hearings assigned to it by the President of the State Association or the Chairperson of the State Judiciary Committee through it's County Chairperson.

- C. All decisions of the County Conference Judiciary Committee will be in writing and will be final and binding unless a stay is granted and/or an appeal is filed with the State President as specified in Article XVI of these Bylaws.
- D. All decisions of the County Conference Judiciary Committee will be in writing and will be final unless rejected by a 2/3's vote of the members present at the meeting when the aforesaid decision is rendered and submitted, provided that prior notice will be given to all members of the Conference, as part of the usual meeting notice, advising of the fact that the Judiciary Committee will be rendering a decision on a particular matter. The decision of the County Conference Judiciary Committee may be appealed to the State PBA pursuant to Article XVI, Section 3. The filing of such an appeal will not constitute a stay of action taken by the County Conference's Judiciary Committee. Applications for a stay must be filed in writing with the State PBA President pursuant to Article XVI, Section 4.

ARTICLE XVI
HEARINGS; ADMINISTRATIVE APPEALS PROCEDURES;
EXHAUSTION OF REMEDIES

Section 1 - STATE ASSOCIATION

- A. COURT PROCEEDINGS - No court proceedings will be instituted or maintained by any member or Local Association against this Association or any Local Association without first seeking redress from and within this Association. No Local Association will institute or commence court proceedings of any kind or nature against this Association or another Local Association without first seeking redress from and within this Association. The provisions of this section will constitute an adequate administrative remedy and a condition precedent to the institution of any court action by this Association, by a Local Association or any individual member thereof.

Section 2 - JURISDICTION

- A. The State PBA Judiciary Committee will have jurisdiction over the following matters: Appeals from decisions of County Conferences, Local Association or SOA Judiciary Committees, disputes between State Delegates, disputes between State Delegates and their Local Association, disputes between County Conferences or Local Associations, disputes between a State Delegate and another Local Association, disputes between a Local Association and the State PBA; disputes between a State Delegate and the State PBA, appeals from actions of any permanent or special committee of this Association, election challenges and any other issue(s) assigned to it by the State PBA President and/or Executive Board or as required pursuant to the Constitution and Bylaws.
- B. The notice of appeal must be filed with the President of this Association within thirty (30) days following the action from which the appeal is taken. The appeal must be in writing and delivered or mailed, Certified Return Receipt Requested, to the State PBA President. Upon receipt of the appeal, the State PBA President will deliver the notice of appeal to the Chairperson of the Judiciary Committee who will process the matter in accordance with the provisions of Section 3 herein. Failure to file the appeal within the 30-day period aforesaid will constitute a bar to any further action on the matter.

Section 3 - APPEALS

- A. Appeals from action(s) of the State PBA Judiciary Committee must be processed as follows: The appeal must be in writing and delivered or mailed, Certified Return Receipt Requested, to the State PBA President and the State PBA Recording Secretary within the 30-day period following the decision of the State PBA Judiciary Committee. Failure to submit an appeal within the 30-day period aforesaid will preclude any further appeal and the decision of the State PBA Judiciary Committee will be final and binding. The State PBA Recording Secretary will enter the matter on the agenda of the next succeeding monthly meeting of the State Board of Delegates following receipt of the Notice of Appeal, except if for some reason it is unable to schedule the appeal for the next monthly meeting, where in that case the appeal will be heard at a following monthly meeting designated by the State PBA President. The decision of the State PBA Judiciary

Committee will be final and binding unless the decision is vacated or remanded by a two-thirds vote of all State Delegates attending said meeting.

- B. Appeals from action(s) of any permanent or special committee of this Association must be in writing and delivered or mailed, Certified Return Receipt Requested, to the State PBA President. Upon receipt of the appeal, the State PBA President will deliver the notice of appeal to the Chairperson of the State PBA Judiciary Committee who will process the matter. Failure to file the appeal within the 30-day period aforesaid will constitute a bar to any further action on the matter.

Section 4 - STAYS

- A. The Chairperson of the State PBA Judiciary Committee or his designee is empowered to grant or deny a stay on all decisions of the State PBA, Local Associations or County Conferences. A request for a stay must be in writing, delivered or mailed, Certified Mail, Return Receipt Requested, to the State PBA President within seven (7) calendar days following the decision(s) of the State PBA or Local Association. The State PBA President will notify the Chairperson of the State PBA Judiciary Committee who in his sole discretion, may grant or deny said stay, in writing within seven (7) calendar days of receipt of the written request, pending an appeal hearing before the State PBA Judiciary Committee.

Section 5 - LOCAL ASSOCIATION

- A. The Judiciary Committee of each Local Association will have jurisdiction over fraternal disputes between members of such Local Associations and disputes between members of such Local Association and the Local Association. The decision rendered by the Local Judiciary Committee will be immediately confirmed unless rejected by a two-thirds (2/3's) vote of the members present at the meeting when the aforesaid decision is rendered and submitted. The usual meeting notice used by the Local Association to advise its members of an Association meeting will include the fact that the decision will be rendered at the upcoming meeting. The notice will be posted no later than seven (7) working days prior to the meeting. An appeal may be filed under Section 3 of this Article.
- B. The decision of a Local Judiciary Committee is the final administrative action of the Local Association as to matters within its jurisdiction as provided in Section 5 of this Article. An appeal may be taken from any decision of a Local Judiciary Committee by any member adversely affected by such decision. The notice of appeal must be filed with the State President within 30 days following the final decision of the Local Judiciary Committee. The appeal must be in writing and delivered or mailed, Certified Return Receipt requested, to the State President. Upon receipt of the appeal, the State President will deliver the notice of appeal to the Chairperson of the Judiciary Committee who will process the matter in accordance with the provisions of Section 3 of this Article. Failure to file the appeal within the 30 day period aforesaid will constitute a bar to any further action on the matter.

Section 6 - COUNTY CONFERENCE

- A. The Judiciary Committee of each County Conference will have jurisdiction over disputes assigned to it by the President of this Association and/or the Chairperson of the State Judiciary Committee, which may include: Charges between members of different Local Associations and/or Local Associations within their Conference; Local Association disputes between members when the Local Association does not have enough members to form a Local Association Judiciary Committee; any other hearings assigned to it by the President of the State Association or the Chairperson of the State Judiciary Committee. Decisions rendered by a County Conference Judiciary Committee will be final and binding unless appealed in writing to the State PBA President within thirty (30) days. Once an appeal is received by the State PBA President, it will be forwarded to the Chairperson of the State Judiciary Committee for appropriate action.
- B. Decisions of the County Conference Judiciary Committee over those matters specified in Article XV, Section 3(B) of these Bylaws, will be final and binding unless appealed, in writing, to the President of this Association within thirty (30) days following the action from which the appeal is taken. The appeal must be delivered or mailed, Certified, Return Receipt requested, to the State President. Upon receipt of the appeal, the State President will deliver the notice of the appeal to the Chairperson of the State Judiciary Committee, who will process the matter in accordance with the provisions of Section 3 of this Article. Failure to file the appeal within the thirty (30) day period aforesaid will constitute a bar to any further action on the matter.

ARTICLE XVII
PER-CAPITA TAX; ASSESSMENTS & FUNDS

Section 1 - STATE ASSOCIATION

- A. This Association will be supported by Local Associations, each of which will pay an annual per-capita tax for each of its active members in an amount established by the Board of State Delegates. Said tax must be paid on or before March 31st. Extensions of time for payment of the current year's per-capita tax may be granted by the State PBA President. Any Local Association granted an extension of time in paying their entire current annual per-capita tax will make quarterly payments, with the initial payment due on or before March 1st of the appropriate year. Sub-sequent quarterly payments are due on or before; June 1st, September 1st, and December 1st. If an extension is needed beyond December 1st, it may be granted by the State PBA President with the consent of the State Executive Board.
- B. The annual per-capita tax for active members will be \$52 per member and may be amended by a majority vote of the Board of State Delegates at a monthly meeting.
- C. Any Local Association not in compliance with the above paragraphs (A) and (B) and whose annual per-capita tax or any other monies owed are in arrears for three (3) consecutive months will be automatically suspended from this Association. Any Local Association who is designated as suspended from this Association will be automatically dropped from the rolls of this Association if all arrears per-capita tax or monies owed this Association are not fully paid before the end of six (6) consecutive months with respect to the payment of annual per-capita tax or any other monies owed. For the purposes of the three (3) consecutive months described above, the time period will commence upon notification of such arrearage by certified mail, return receipt requested and regular US mail to the Local's State Delegate and the postmark date will be the date of notification.
- D. Any Local Association who is designated as suspended or dropped from the rolls of this Association will not be entitled to any rights or benefits as outlined in these Bylaws.
- E. A Local Association who has been dropped from the rolls of membership may apply for reinstatement except that the requirement will be the repayment of all arrears per-capita tax or monies owed. Repayment of arrears per-capita tax or monies may be waived or reduced by a majority vote of the Board of State Delegates.
- F. Said funds are for the general use and benefit of this Association and its Chartered Local Associations. In the event that a Local Association, for its benefit or the benefit of an individual member, seeks or requests financial assistance from this Association or its members, a written request for same will be made to the State President through its Local Association's State Delegate, following which the matter will be referred to the State PBA Good and Welfare Committee for an investigation and recommendation, following which a report will be submitted to the Board of State Delegates for their approval or disapproval. In determining whether such assistance is to be given, the Board of State Delegates will consider the good faith of the request, the timeliness of the request, the purpose of the request, together with a determination of the amount of money involved and whether the same is reasonable or not. In addition the Board of State Delegates should consider such other factors as they deem important in arriving at a determination,

and the State Board of Delegates should have the right to insist as a condition to the use of State funds that a Local first exhaust its own funds or agree to contribute in any proportion an amount of such a request. No Local Association or individual member will be entitled to make any commitment in any way whatsoever concerning the use of such funds to another.

- G. The monthly expenditures of the State PBA will be itemized and published in the minutes of the current monthly meeting of the Board of State Delegates. Reasonable efforts will be made to obtain approval from the Board of State Delegates prior to making any unusual or unforeseen expenditures.
- H. This Association will have the absolute right to levy any and all assessments on each Local Association and its individual members for any and all purposes that may be required by this Association. No such assessment will be made except by 2/3's vote of a quorum therefore at a regular or special meeting called for that purpose.
- I. The records of all income and expenditures of this Association will be audited annually by an independent Certified Public Accountant. Upon the written request of any member, the corporation shall mail to that member its balance sheet as at the end of the preceding fiscal year, and its statement of income and expenses for that fiscal year.
- J. Upon the death of the State President while engaged in functions in or on behalf of this Association, the State Executive Vice President will verify the facts and circumstances concerning the State President's death prior to declaration and determination of a payment of a twelve thousand dollar (\$12,000.) as specified and distributed as in Section 2(F) of this Article. Disputes or disputed claims hereunder will be subject to final decision by the Board of State Delegates upon advice of the State Association's attorney.
- K. All loan applications hereinafter approved by the State Association will be reduced to writing, upon such terms as the New Jersey State PBA will establish, and will be executed by the President, Delegate, and Treasurer of the Local Association.

Section 2 - LOCAL ASSOCIATION

- A. Local Associations will be supported by their members, each of which will pay annual dues in an amount established by the Local Association. Said dues must be paid on a date agreed to by the Local Association.
- B. The annual dues for Local Association members will be \$840 and may be amended by a majority vote of the Local Association's members at a monthly meeting.
- C. Local Associations will not be required to pay per-capita tax on associate or retired members.
- D. Local Associations with members having life cards issued by this Association or the Local Association will continue to pay a per-capita tax to this Association for such members while active in the police department or other law enforcement agency. Upon retirement of such members, Section (A) herein will be applicable.
- E. A vote of all the members present at a regular monthly meeting, or special meeting called for an expenditure(s), will be taken on all motions for expenditures of money in excess of \$ 8,500.
- F. Local Association will have the absolute right and privilege to levy any and all assessments on each member for any and all purposes that may be required by this Local

Association. No such assessment will be made except by 2/3's vote of a quorum therefore at a regular or special meeting called for that purpose. In addition, no assessment can be levied against any member of this Local Association for collective bargaining or majority representative purposes who are not members of that bargaining unit.

- G. Upon any Local Association having a member killed while in the performance of his duties, law enforcement duties or is declared killed in action, KIA, as deemed by the Department of Defense, during the time of military conflict while serving in his reserve component of the armed forces of the United States or National Guard Federal active duty status, but not as a result of natural causes, said Local Association, through a State Delegate, will immediately notify the President of this Association in writing. The State President will verify the facts and circumstances concerning the member's death as related by the Local Association in order to determine whether the death payment stated below will be paid. Disputes or disputed claims hereunder will be subject to the final decision by the State President at his sole discretion. Upon the determination by the President of this Association, the State PBA will pay the sum of twenty five thousand (\$25,000) from the NJ State PBA Survivor and Welfare Fund, to an individual or individuals designated in writing by a notarized request from the member. Absent a special request, the payment will be made as follows: first to the spouse; if no surviving spouse, to the children equally; if no surviving children, to the parents equally; if no surviving parents, then to the officer's estate or trust. All monies will be paid immediately. Currently, upon such designation by the President of this Association, the NJ State PBA Survivor and Welfare Fund will pay one thousand dollars (\$1,000), which money will be paid to the deceased member's Local Association to pay for food at a repast.
- H. Any Local Association having a State Delegate killed while going to or from State meetings or committee meetings of this Association or its annual convention will immediately notify the State President in writing. The State President, will verify the facts and circumstances concerning the State Delegate's death as related by the Local Association. Disputes or disputed claims hereunder will be subject to final decision upon the advice of the State Association's attorney. Upon the determination by the President of this Association, the State PBA will pay the sum of twelve thousand dollars (\$12,000.) to an individual or individuals designated in writing by a notarized request from the member. Absent a special request, the payment will be made as follows: First to the spouse; if not surviving spouse, to the children equally, if no surviving children, to the parents equally; if no surviving parents, then to the Delegate's estate or trust. All monies will be paid immediately. Currently, upon such designation by the President of this Association, this Association will pay one thousand dollars (\$1,000.), which money will be paid to the deceased State Delegate's Local Association to pay for food at a repast.
- I. Section 2 (H) above is inapplicable if death occurs as a result of a common carrier disaster going to or from the annual convention or mini-convention.

Section 3 - COUNTY CONFERENCE

- A. The Conference will be supported by Local Associations who are members of the Conference, each of which will pay an annual due in an amount established by the Conference Local Association members. Said dues must be paid on a date agreed to by the Conference.
- B. The annual dues for County Conference members will be \$400 and may be amended by a majority vote of the member Local Association's at a monthly meeting.
- C. Any Local Association not in compliance with the above paragraphs (A) and (B) and whose annual dues or any other monies owed are in arrears for three (3) consecutive months will be automatically suspended from this Conference. Any Local Association who is designated as suspended from this Conference will be automatically dropped from the rolls of this Conference, if all arrears dues or monies owed this Conference are not fully paid before the end of six (6) consecutive months with respect to the payment of annual dues or any other monies owed. For the purposes of the three (3) consecutive months described above, the time period will commence upon notification of such arrearage by Certified Mail, Return Receipt Requested and regular US mail to the Local Association's State Delegate and the postmark date will be the date of notification.
- D. Any Local Association who is designated as suspended or dropped from the rolls of this Conference will not be entitled to any rights or benefits as outlined in these Bylaws.
- E. A Local Association who has been dropped from the rolls of membership may apply for rein- statement except that the requirement will be the repayment of all arrears per-capita tax or monies owed. Repayment of arrears per-capita tax or monies may be waived or reduced by a majority vote of the County Conference's Executive Board.
- F. The Conference will have the absolute right to levy any and all assessments on each member Local Association for any and all purposes that may be required by this Conference. No such assessment will be made except by 2/3's vote of a quorum therefore at a regular or special meeting called for that purpose.

Section 4 - SOLICITATION

- A. A Municipal Local Association will not solicit beyond its geographical limits.
- B. A County Local Association will be allowed to solicit within all Municipalities within the geographic limits of that County. Written notification must be submitted by the County Local Association to the County Conference Chairman no less than thirty (30) days prior to the start of the solicitation.
- C. Local Associations representing Statewide, Bi-State, or Multi-State employee groups must advise all County Conference Chairmen, in writing, no less than thirty (30) days prior to their beginning a solicitation within each county. Said solicitation will be limited to a maximum of one-hundred twenty (120) days in one (1) calendar year.
- D. Any Local Association suspected of violating the stipulations of subsections B and/or C of this Sub-Section will be charged with said violation by the President of the Local Association alleging the violation. A copy of the charge(s) will be mailed, Certified Return Receipt, to the State President, the Chairman of their County Conference and to the President of the Local Association in violation. The Chairman of the County

Conference, upon receipt of the charges, will forward it to the Chairperson of the Conference's Judiciary Committee for adjudication as set forth within these Bylaws.

- E. Alleged violations which cross County Conference geographical limits, or which are committed by Local Associations representing Statewide, Bi-State, or Multi-State employee groups, will be sent to the President of the State Association. The charge will be preferred by the President of the Local Association alleging the violation and mailed to the State Association President by certified, return receipt mail. A copy of the charges will be given to the alleged offending Local's State Delegate. Upon receipt of the charge, the State President will forward them to the Chairperson of the State Judiciary Committee for adjudication as set forth within these Bylaws. If the offending Local Association is found guilty of violating this sub-section of these Bylaws, the State Judiciary Committee may fine the Local up to an amount of one thousand dollars (\$1000.00) for each violation, suspend the Local from this Association for up to one (1) year or recommend expulsion of the Local from this Association, or recommend any other penalty which they deem appropriate.
- F. The State Association, County Conferences or Local Associations will not enter into any agreements with independent paid fund raisers as defined in the law, NJSAA.45:17A-18 et. seq., to conduct telephone fund raising solicitations.

ARTICLE XVIII
LOCAL ASSOCIATION'S AND COUNTY CONFERENCE'S CHARTERS

Section 1 - APPLICATION

- A. Applications for new Charters and for transfers of membership will be made in writing to the State President and referred by him to the Organization Committee, which, after due investigation, will report in writing to the State Board of Delegates. Upon approval of the State Board of Delegates, a new Local will be issued a Charter signed by the Recording Secretary, the President and the Treasurer, which Charter will remain the property of this Association at all times. Each such Charter will set forth the name, number, and date of admission of said Local and any conditions imposed upon the issuance of the Charter.
- B. Each County Conference will be "grandfathered" into Section 1 above and issued a Charter by the State PBA. The Charter fee for County Conferences will be waived by the State PBA. Each said Charter will set forth the name of the Conference, the date of issuance and any conditions imposed upon the issuance of the Charter.

Section 2 - INCORPORATION

- A. Each Local Association and County Conference of this Association will be required to incorporate as a Not-For Profit Corporation under the statutes of this State, Title 15, Chapter 16, and the Certificate of Incorporation and such other documents required to be filed pursuant to Federal or State Statute will be subject to the prior approval of this Association. Each Local Association and County Conference is required to file a federal tax return will apply to the State PBA for inclusion in the group tax exemption granted by the Internal Revenue Service to the PBA. Additionally, each Local Association and County Conference must apply to the Internal Revenue Service for their individual Federal Employer Identification Number. Upon receipt of the above documents, a copy of same will be forwarded to the State PBA office to be kept on file.
- B. New Local Associations will be created by Charters under the seal and signatures of the officers of this Association and at least ten (10) applicants will be required of a new Local prior to a Charter being issued.
- C. A Charter Fee of \$500.00 will be required and collected upon the establishment of a new Local Association.

Section 3 - SEPARATION OF DEPARTMENTS

- A. To approve separation of any department or departments seeking a new Charter or Charters from a Parent Local subject to the conditions that such separation will be agreed upon by two-thirds of the members separating or members of the department or departments and no department or departments will be permitted to separate if, as a result, it strips the Parent Local of the required number of members necessary to retain its Charter; it being a further condition that any group or groups upon approval or separation, will be granted the sum of five hundred (\$500.00) from the Parent Local for their Charter and the new group will sever any connection with the Parent Local in writing. If disbursement of other Parent Local finances cannot be agreed upon by the

members of the Local, the State Organization Committee will review the finances and make a final recommendation. The Organization Committee's recommendation will be submitted for approval to the State Board of Delegates. Once approved by the State Board of Delegates, the disbursement will final and binding upon the Parent Local association.

- B. Life members and retired members of departments separating from the Parent Local may, at their option, remain with the Parent Local or transfer to the new Charter. This option must be made at the time of separation.

Section 4 - RESTRICTED LOCAL CHARTERS

A Restricted Local Charter is defined as a limited charter designated for a Local Association's Supervisor Officers Association or Retired members of the State PBA. A Local Association's SOA must first comply with Article IV, Section 5(B), (C) and (D) before a Restricted Local Charter is granted. Once a Local Restricted Charter is granted by the Board of State Delegates, said SOA is entitled to the limited rights and privileges outlined in Article IV, Section 5(E). With respect to Retired Members, a Restricted Local Charter is defined as a limited charter designated for Local #600 with limited rights and privileges as outlined in Article XXVIII of the State PBA Bylaws, titled, Retired Members Local #600.

Section 5 - REVOCATION OF CHARTER

- A. The Charter of a Local Association or County Conference may be revoked or a Local Association or County Conference may be expelled from membership in the State Association for non-payment of dues, fees, assessments, failure to comply with these Bylaws, or for any act adverse and detrimental to this Association.
- B. In the event of any of the aforesaid, the President of the State PBA will temporarily suspend such Local Association or County Conference and its representatives from further participation in the affairs of this Association, pending written charges pursuant to Article X and a trial before the State PBA Judiciary Committee. Pending said trial, the State PBA President and the State PBA Executive Board will assume full control and in charge of the affairs, books, property, accounts, and all assets of said Local Association.
- C. The President of the State PBA will present written charges against said Local Association or County Conference pursuant to Article X and to the Chairperson of the State PBA Judiciary Committee. The Chairperson will then notify the Local Association or County Conference as to the time and place of hearing, via Certified Return Receipt Requested mail at least fifteen (15) days prior to the date of the trial. The Local Association or County Conference will attend said trial through its officers not to exceed three, and present any and all witnesses that it may desire. The State PBA Judiciary Committee will render a written determination concerning such charge or charges and such determination will be final and conclusive unless an appeal is filed pursuant to these Bylaws.

Section 6 - APPEAL OF REVOCATION OF CHARTER

- A. If an appeal is filed and the determination of the Board of State Delegates is favorable to the Local Association or County Conference, the President of the Local Association or

Chairperson of the Conference and its Executive Board will immediately be restore all property of the Local Association or County Conference.

- B. If an appeal is filed and the determination of the Board of Delegates is adverse to the Local Association or County Conference, it will be immediately expelled from membership herein and its assets and property of any kind will be disposed in the following manner:

1. All property, books, records, papers, documents and monies will immediately become the property of the State Association which is authorized to take possession of the same and, if necessary, to institute and maintain proper legal action for the recovery of same in the courts of this State;
2. All of the personal and real property, accounts, monies, savings accounts, checking accounts, trust accounts and monies deposited to the credit of any Local Association or County Conference in any banking institution for any purpose whatsoever, will immediately vest in this Association without claim thereto on the part of said Local Association or County Conference. Said banking institutions, persons, firms or other corporations having custody or possession of any such monies, accounts, or personal or real property will immediately turn same over to this Association in whom the same will vest, absolutely, legally and equitably in every respect whatsoever. This Association is empowered and authorized to institute necessary legal and equitable actions for recovery of the same for the purpose of administering and liquidating all of said property, monies, accounts, savings accounts, trust accounts to the credit of said Local Association or County Conference for the benefit, welfare and division among its individual members in good standing as of the expulsion of said Local Association or County Conference, less any and all expenses incurred for the retention of same, for administration thereof and for any monies due this Association. The surplus, if any, will be divided proportionately among all of the individual members in good standing of the Local Association or County Conference as of said expulsion;
3. This Association is empowered, authorized, and directed to sell any and all assets and property of said Local Association or County Conference and convert the same into cash, if necessary, from time to time in order to accomplish a liquidation of said Local Association or County Conference.

ARTICLE XIX
POLITICAL ORGANIZATION AND GOVERNMENT AFFAIRS

A. There is hereby established a Political Organization and Government Affairs Advisory Committee. The Committee will be made up of the State President, State Executive Vice-President, County Conference Chairmen and other members as appointed by the State PBA President as deemed necessary. The State President or his designee shall serve as Chairman of the Political Organization and Government Affairs Advisory Committee. The PBA Director of Government Affairs shall serve as an ex-officio member of the Committee.

The Committee shall be responsible for:

1. Developing operations, organizational planning and communication methods to promote candidates endorsed for election by the State PBA, Maintain database of State PBA active and retired members by Legislative and Congressional election District,
2. Promoting voter registration of State PBA members and their families,
3. Organizing absentee ballot and mail in ballot programs amongst State PBA members at the State, County and local level,
4. Organizing Get Out The Vote (GOTV) operations for targeted elections at the State, County and local level,
5. Providing intelligence and information to the State PBA President on political conditions at the local level as requested,
6. Consider recommendations for endorsement of candidates for State and Congressional offices at the request of the State PBA President.

B. State Delegates shall refer all matters pertaining to proposed or pending legislation to the State President for consideration who may then forward such matters to the Committee for comments and suggestions.

C. There shall be established as a New Jersey continuing political action committee (CPC) the NJSPBA PAC to maximize members' participation in political campaigns; for the endorsement of candidates for election to legislative and gubernatorial office; and for the financial support of candidate committees of candidates seeking such office and other lawful political organizations. The NJSPBA PAC will be composed of a Steering Committee with the State PBA President as Chairperson, an appointed Delegate as Vice Chairperson, and the Executive Vice President as its Organizational Treasurer. The Steering Committee will appoint a Board of Trustees with a representative from each County. The Steering Committee and the Board of Trustees will issue guidelines which will govern the operation of the NJSPBA PAC.

Subject to law, the NJSPBA PAC shall annually collect from each local an assessment at a rate of \$18 per year per organizational member, which the local will remit directly to the NJSPBA PAC. The total amount paid to the NJSPBA PAC by any local shall not exceed the maximum then in effect under State regulations (\$7,200.00 per year as of 2014). Payment shall be made by each local by March 31 of each calendar year, unless the Board of Trustees concludes that a payment schedule due to hardship is warranted.

The Steering Committee and the Board of Trustees are authorized to recommend endorsement of candidates in primary and general elections for State legislative and gubernatorial elections only. The recommendations of the Steering Committee and the Board of Trustees are subject to the approval of the State PBA Board of Delegates. The Steering Committee and the Board of Trustees shall authorize and approve all political contributions, provided, however, that the Steering Committee may authorize contributions to any one candidate, legislative leadership, or political party committee not to exceed \$2,600 to each such committee, in the event a meeting of the Board of Trustees cannot be convened before contributions are needed.

The State PBA President will commence a review of NJSPBA PAC three (3) years after the date on which this Bylaw is approved by the Board of Delegates to determine whether the entity should continue or whether there should be changes in the operation of NJSPBA PAC.

- D. Upon notification to the State PBA President, a Local Association may endorse municipal political candidates within the Local's geographical limits if said candidate(s) are/is not currently holding or seeking to hold an additional statewide office.
- E. Upon notification to the State PBA President, a County Conference may endorse county political candidates within the Conference's geographical limits if said candidate(s) are/is not currently holding or seeking to hold an additional statewide office.

ARTICLE XX

LIFE MEMBERSHIP CARDS

Section 1 - ELIGIBILITY

- A. All members of this Association in good standing will be eligible for gold and silver life membership cards.
- B. All former State Presidents of this Association will be issued a gold life membership card by this Association.
- C. All former State Officers of this Association, including State Delegates who have served three or more years, will be issued a silver life membership card by this Association.
- D. Members of a Local Association may be honored by a Local Association by the issuance of a gold or silver life membership card of said Local Association, the cost of same to be defrayed by the Local Association. Criteria for awarding the above-mentioned cards are to be established by each individual Local Association. Gold life membership cards will only be issued to law enforcement officers.
- E. No member of this or any Local Association will be entitled to receive more than one gold card and one silver life membership card.

Section 2 - HONORARY LIFE MEMBERSHIP CARDS

- A. Honorary life membership cards may be applied for on behalf of officials or citizens who have performed an outstanding deed for the betterment of the law enforcement profession. A committee of three State Delegates appointed by the President of this Association will investigate said application in the following manner:
 - 1. Said committee will report their findings, in writing, within thirty days and the report will be read before the Board of State Delegates. Any official or citizen becoming a recipient of such a card will be advised that such a card is the property of this Association and may be retained by the recipient unless and until a written demand for the return of same will be made. Said demand may be proposed in writing by the sponsoring Local Association through its State Delegate after majority vote of the members of said Local to the Executive Board for its disposition;
 - 2. Honorary life membership cards will be limited to two cards annually per Local;
 - 3. Honorary life membership card applications originating within a Local Association will not be considered at the annual convention of this Association;
 - 4. Upon the rejection of an applicant for an honorary life membership card, such application will not be reapplied for within one year from the rejection.

Section 3 - SURVIVOR HONORARY MEMBERSHIP CARDS

- A. Survivor life membership cards may be applied for on behalf of the spouse, parents, brother, sister or children over the age of eighteen of a member who has lost their life in the line of duty.
 - 1. These cards will be applied for and approved in the same manner as Honorary Life Membership Cards.

2. Issuance of Survivor Honorary Membership Cards will not be restricted with regards to quantity.
3. Survivor Honorary Membership Cards shall only be issued in silver and bear the name of the deceased member, the survivor and the local of the member at the time of passing.
4. The cost of said Honorary Membership Cards will be borne by the Local Association.
5. Honorary life membership cards can only be issued in silver.

ARTICLE XXI SAFETY CARDS

Section 1 - DISTRIBUTION

- A. Safety cards will be issued by this Association through the State PBA President and Executive Board to the State Delegates, who will control the issuance of such cards to the membership of their respective Local Associations. The cost of these cards will be defrayed by the State Association.
- B. Safety cards are to be issued only to safe drivers, and should such a driver be stopped for a motor vehicle violation, the card is to be picked up by the officer stopping them. The card is then to be returned to the Local Association's State Delegate who is required to return the card to the State Association.
- C. No cards will be given to any law enforcement officer who is not in good standing in the State PBA or their Local Association. Each member in good standing within their Local Association will be entitled to receive ten (10) "Regular" safety cards. Additional "Family Member" safety cards may be purchased by the members through their State Delegate. In addition, each State Delegate will be entitled to receive at no cost, one hundred fifty (150) "Regular" safety cards for his personal use.
- D. All safety cards will be issued through the New Jersey State PBA only. No Local Association will be permitted to print or issue their safety cards. Any cards issued by this Association are the property of the New Jersey State PBA, Inc. and subject to forfeiture for cause at any time.
- E. All former State Delegates with six (6) or more years or two (2) full terms as a State Delegate, upon written request to the State PBA President, with the dates of their service as State Delegate, submitted by the September meeting of this Association, will receive one hundred (100) safety cards for their personal use. This subsection does not apply to any State Delegate enumerated herein with the dates of their service as State Delegate prior to April 13, 1976. Safety cards will be issued for the following year. This will only apply to past State Delegates who are active or retired in good standing.
- F. All former State PBA Presidents, upon written request to the State PBA President with dates of service as State PBA President, submitted by the September meeting of this Association, will receive 200 safety cards for his personal use. Safety cards will be issued for the following year.

Section 2 - RETIRED MEMBERS

Requests for safety cards for those members who have retired in good standing must be submitted in writing by the Local Association's State Delegate no later than August 31 of the current year for issuance of allotted cards for the following year.

ARTICLE XXII CAR SHIELDS

Section 1 - APPLICATION

- A. Car shields will be issued to active and retired members limited to automobiles owned and registered by such or their spouse. Associate members shall keep possession of any shields issued to them prior to their lay-off during the period of associate membership, but no new shields shall be issued. Application cards will be filed by a member with his signature and complete information requested along with a driver's license number with a fee of \$15 for new shields. Replacement of any shield will cost \$15. Such cards are to be countersigned by the State Delegate. Application cards not completed properly will be returned to the Local State Delegate. The State Delegate will be responsible for accuracy of application card.
- B. In the event a Local Association's member issues a check in payment for a shield(s) which is returned to the Shield Committee by the bank with the notation "Insufficient Funds" or something which means the same, the following procedure will apply:
 - 1. Said member will receive a written request for payment of the cost of their shield(s), plus whatever bank processing charge are incurred by the State PBA and a Shield Committee service assessment;
 - 2. Said member will have thirty (30) days, from the date of the written request from the Shield Committee, to repay the State PBA;
 - 3. If said member has not paid the amount requested within the allotted time period, a letter will be sent to the member's Local Association's State Delegate, requiring the State Delegate obtain from the involved member and turn in either the amount requested or the shield(s) to the Shield Committee Chairman within thirty (30) days from the date of the letter;
 - 4. If the State Delegate turns in the member's shield(s), the Local Association must collect the bank processing charges incurred by the State PBA and Shield Committee charges and forward them to the State PBA.

Section 2 - LIMITATION

- A. Car shields are limited to three (3) in number. Car shields are to be issued only to active or retired members in good standing. No Local Association will allow a PBA car shield to be issued to, or displayed by, a non-member or a member who also holds membership in another law enforcement organization not authorized by the State PBA.
- B. It will be the responsibility of each Local Association's Delegate to ensure that PBA car shields are not issued to or displayed by either a dual member or a non-member.
- C. Any Local Association's State Delegate who signs a member's shield application form, knowing the applicant to be either a dual member of an unauthorized law enforcement organization or a non-member, will be charged by the Chairperson of the Shield Committee with a violation of this Article. Said charges are to be turned over to the Chairperson of the State Judiciary Committee for appropriate action as set forth within these Bylaws.

Section 3 - STATE ASSOCIATION PROPERTY

It is understood that the car shield referred to in this Article is and remains the property of the New Jersey State PBA, Inc., and that the consideration specified in Section 1 is a donation to the New Jersey State PBA, Inc., to defray the administrative costs incurred in connection with this shield and other incidents of membership in this Association.

Section 4 - SPOUSE OF DECEASED MEMBER

The spouse of a deceased member may use said car shield. If and when said spouse remarries or dies, the Local will request the shield be surrendered, and it will be returned to the State PBA Shield Committee.

Section 5 - WHEN THE STATE PRESIDENT CALLS FOR A BLACKOUT ON CAR SHIELDS

- A. All PBA shields will be removed from vehicles.
- B. Any law enforcement officer who fails to remove the PBA shield at the time of the known Blackout will have his shield revoked for a period of one year and the shield will be surrendered at that time to the State Delegate of that Local Association at which time the State Delegate will surrender same to the State Shield Committee.
- C. Any member whose shield has been revoked for a period of one year may, in writing to the State Delegate of his Local Association, request the return of the shield. Whereas a law enforcement officer commits a second offense, it will be the decision of the State PBA President and the Executive Board or the delegation of State Delegates to render a final decision on the penalty that said member has committed.

Section 6 - PENALTY

- A. It will be a violation of this section for any member to apply for more than their allotted number of car shields, or to give, loan, or sell a car shield registered to him, or deceased members, or widows, to any other member or a civilian.
- B. The minimum penalty for a first offense of applying for more than their allotted number of car shields will be a \$100.00 fine; the minimum penalty for the first offense of giving or loaning, a car shield will be a \$200.00 fine; plus, a member cannot apply for a car shield for a period of three (3) years.
- C. For a second violation of either of the above, a fine of \$300.00 will be assessed and include a loss of all shields for period of five (5) years.
- D. Any member found guilty of selling a car shield(s) will be fined a minimum of \$200.00 and will not be allowed to apply for, or possess, a car shield at any time in the future. All of the above fines are to be paid the State PBA within sixty (60) days of approval of the penalty by the Board of Delegates.
- E. In all cases of charges to members, the Local Association's State Delegate will accompany the member to the hearing.
- F. Any application fees submitted for more than a member's allotted number of shields will be forfeited to the Shield Committee.
- G. Lost or stolen shields will be reported with a copy of a police report within thirty (30) days of loss.

- H. Any situations that arise not covered in this section will be referred to the Judiciary Committee for final disposition.
- I. Charges for any violations of this sub-section will be preferred by the Chairperson of the State Shield Committee and forwarded to the President of this Association, who upon receipt of same will refer them to the Chairperson of the State Judiciary Committee for adjudication.

ARTICLE XXIII
AMENDMENTS TO BYLAWS AND RESOLUTIONS

Section 1 - PROCEDURE FOR ADOPTING, AMENDING OR REPEALING BYLAWS

- A. A proposed amendment(s) or repeal(s) of the Bylaws must be submitted in writing to the State PBA President. Said proposed amendment(s) or repeal(s) will be then be forwarded to the Chairperson of the Bylaws Committee. The Bylaws Committee is empowered to recommend acceptance or rejection of any proposed amendment(s) or repeal(s) to the Bylaws.
- B. The recommendation of the Bylaws Committee on any proposed amendment(s) or repeal(s) will be forwarded to the Board of State Delegates for their approval or rejection of the Bylaws Committee's recommendation at a monthly meeting. A two thirds (2/3) majority of the State Delegates in attendance at said meeting will be required to adopt or reject the Bylaws Committee's recommendation.
- C. Once a proposed amendment(s) or repeal(s) is/are debated and voted upon and if defeated it/they will not be re-introduced for a period of twelve (12) months.
- D. Any Bylaw of the State PBA or Local Association that conflicts with National, State, or Local Laws will be deemed out of order and if so adopted, deemed null and void.
- E. A notice will be posted to the members, ten (10) calendar days prior to the presentation with the date, time, and location of said presentation and vote.

Section 2 - TEMPORARY SUSPENSION OF BYLAWS

- A. STATE ASSOCIATION - The Bylaws of the State Association may only be suspended for temporary purposes if there is good cause and just reason, by a two-thirds (2/3's) majority vote of the Board of State Delegates present at a meeting however, any such suspension will terminate at the end of said meeting.
- B. LOCAL ASSOCIATION - The Bylaws of the Local Association may only be suspended for temporary purposes if there is good cause and just reason, by a two-thirds (2/3's) majority vote of the Local Association members present at a meeting however, any such suspension will terminate at the end of said meeting.
- C. COUNTY CONFERENCE - The Bylaws of the County Conference may only be suspended for temporary purposes if there is good cause and just reason, by a two-thirds (2/3's) majority vote of the County Conference members present at a meeting however, any such suspension will terminate at the end of said meeting.

Section 3 – AMENDMENTS TO THE LOCAL ASSOCIATIONS OR COUNTY CONFERENCES ADDITIONAL BYLAWS

- A. Amendment(s) to the Local Association's Bylaws will be as follows:
 - 1. A notice will be posted to the members, ten (10) calendar days prior to the presentation with the date, time and location of said presentation and vote.
 - 2. After presentation to the members, then tabled for thirty (30) days after which, a 2/3 majority vote of the members present at a meeting will be required to submit the amendment(s) for approval to the New Jersey State PBA Bylaws Committee.

3. The additional bylaw(s) will become officially adopted once read into the minutes at a meeting of the State Board of Delegates.
4. Any Local Association or County Conference additional bylaw that conflicts with National, State or Local Laws; or any portion of these bylaws will be deemed out of order and if so adopted, deemed null and void.

ARTICLE XXIV DISORDERLY PERSONS

Section 1 - STATE ASSOCIATION

It will be the duty of each member to comply with the Bylaws, established principals, customs and established rules of this Association. Any person who becomes obnoxious, abusive or disorderly in his language or conduct at any meeting of this Association upon the adoption of a motion of the Board of State Delegates to eject said person will be ejected from the meeting by the Sergeant(s)-at-Arms.

Section 2 - LOCAL ASSOCIATION

It will be the duty of each member to comply with the Bylaws, established principals, customs and established rules of his Local Association. Any member present at a meeting of this Local who becomes obnoxious, abusive or disorderly in his language or conduct upon the adoption of a motion by the members present to eject said person will be ejected from the meeting by the Sergeant(s)-at-Arms.

Section 3 - COUNTY CONFERENCE

It will be the duty of each member to comply with the Bylaws, established principals, customs and established rules of this County Conference. Any member present at a meeting of this Conference who becomes obnoxious, abusive or disorderly in his language or conduct upon the adoption of a motion by the members present to eject said person will be ejected from the meeting by the Sergeant(s)-at-Arms.

ARTICLE XXV
PER-CAPITA VOTE

The per-capita system of voting will be regulated as follows:

- A. Each Local Association will command three votes by reason of the existence of its Charter;
- B. Each State Delegate representing a Local Association will be entitled to two votes;
- C. Each Local Association will be entitled to one additional vote for each 15 members or portion thereof;
- D. The vote will be cast by the Local Association's State Delegate or the duly authorized Local Association's Alternate Delegate, if one has been appropriately designated, at a meeting of the State Board of Delegates (i.e., any Local with 15 members or less will be entitled to a total vote of six (6) votes at said meeting);
- E. Each Local Association's total per-capita votes will be based on the number of members declared no later than the November monthly meeting of the Board of State Delegates. The purpose of said declaration is for purchasing of the following year's membership dues cards and the number of the Local Association's per-capita votes. The Financial Secretary will then proclaim each Local Association's total per-capita votes no later than the December monthly meeting of the Board of State Delegates;
- F. Per-capita votes will not be amended unless a Local Association changes its recognition or certification status as the exclusive majority representative of employees within the meaning of the New Jersey Employer-Employee Relations Act, NJSA 34:13A1.1 et. seq., as amended or as may be hereafter amended. Only then will the per-capita votes be amended to reflect the actual numbers of members who remain as members of the State PBA and under no circumstances will the per-capita tax or monies be adjusted and/or refunded to the Local Association;
- G. The per capita votes of each Local Association will be printed in the February minutes of each year.

ARTICLE XXVI
FURLOUGHED PBA MEMBERS/ LEAVE OF ABSENCE

Section 1 - LEAVE OF ABSENCE

- A. Each Local Association will submit a roster to this Association of members who are on a leave of absence as they occur;
- B. Local Associations will have the discretion whether to provide benefits to a member who is on a recognized leave of absence;
- C. Upon being rehired by, or returning to his department, or employer, a law enforcement officer will automatically be reinstated as a member of this Association providing he was a member in good standing when he started his leave of absence;
- D. Time while on a leave of absence will not count as time as a member of this Association;
- E. A Local Association's State Delegate who is on a recognized leave of absence, other than through the Federal Family Medical Leave Act, will forfeit his/her position as the State Delegate. Their Local Association will immediately conduct nominations and hold an election to fulfill the unexpired term of office;
- F. Members on a leave of absence will turn in to their State Delegate all PBA wallet shields, dues cards and car shields. Any of the above items which are turned in will be held by this Association in a safe place and will be returned to the member upon his return to his department or employer;
- G. Members who are on a leave of absence will not pay any per-capita tax, Local Association dues or assessments;
- H. Any litigation on behalf of the member on leave of absence prior to the start of their leave of absence will be the responsibility of the Local Association;
- I. In the event member does not return to duty, the Local Association's State Delegate will notify the Association immediately after it occurs;
- J. Any per-capita tax paid by a Local Association on behalf of a member(s) who starts their leave of absence will not be refunded.

Section 2 - LAID-OFF MEMBERS

- A. Each Local Association will notify this Association of laid-off PBA members they occur;
- B. Associate membership status will be granted to active members in good standing until the member is re-hired, re-employed or for a period of not more than 3 years.
- C. Upon being rehired by, or returning to his department, or employer, a law enforcement officer will automatically be reinstated as an active member of this Association providing he was a member in good standing when he was laid off;
- D. A Local Association's State Delegate who is laid off will forfeit his/her position as the State Delegate. Their Local Association will immediately conduct nominations and hold an election to fulfill the unexpired term of office;
- E. Associate members will retain all PBA wallet shields, dues cards and car shields for the duration of the associate membership.
- F. Associate members will not pay any per-capita tax, Local Association dues or assessments;

- G. Any litigation on behalf of the laid-off or member prior to being laid off will be the responsibility of the Local Association;
- H. In the event the laid-off member is called back to his department or employer and does not return to duty, the Local Association's State Delegate will notify the Association immediately after it occurs. The laid-off member will turn in to their State Delegate all PBA wallet shields, dues cards and car shields.
- I. Any per-capita tax paid by a Local Association on behalf of these laid-off member(s) will not be refunded.

ARTICLE XXVII
PARLIAMENTARY LAW

- A. The most recent edition of Roberts Rules of Order including any edition published any time after the adoption of these Bylaws will be the guide in all debates and order of business when it does not conflict with any established law, the Articles of Incorporation or Bylaws.
- B. The State PBA President is authorized to appoint a member in good standing to the position of Parliamentarian, subject to the approval of the Board of State Delegates. The Parliamentarian will have the following duties: Become acquainted with these Bylaws and “Robert’s Rules of Order, Newly Revised” and advise the State PBA President on all questions of order, perform other duties as the State PBA President may direct.

ARTICLE XXVIII
RETIRED MEMBERS LOCAL #600

This Section of the Bylaws applies only to retired members with regards to their membership with the State Association. Once a retired member has joined the New Jersey State Policemen's Benevolent Association, Incorporated, Local #600 (hereinafter Local #600), it is understood that unless specified herein, members of Local #600 are not entitled to any benefits and obligations outlined in these Bylaws.

- A. Members of Local #600 will be considered retired members of the State Association. Local #600 will have a State Delegate and the State Delegate will be extended the right to speak at any meeting of the Board of State Delegates, annual or mini-conventions but will not be entitled to nominate, make, or second a motion or vote on any matter(s). He may, however, be named to serve on committees which pertain to retired members. As retired members, they will also be entitled to the publication of the State Association.
- B. The State Delegate for Local #600 will be extended the right to vote on matters pertaining to retiree issues that are pending before the Board of State Delegates.
- C. Any member of a Local Association who retires in good standing is eligible for membership in Local #600. The annual dues will be twenty-six dollars (\$26) per member payable to Local #600, who will then pay the State Association.
- D. Local #600 will not be entitled to solicit any funds throughout the State of New Jersey.
- E. Local #600 will hold elections and have an Executive Board comprised of equal representation throughout the State of New Jersey. Elections for State Delegate will be held pursuant to the State Association's Bylaws. The State Delegate will have a three-year (3) term and all other Executive Board members will have a two-year (2) term.
- F. All members of Local #600 may maintain dual membership in their current Local and Local #600. Members of Local #600 will be entitled to five (5) "Regular" safety cards per year.
- G. All retired members regardless of rank will be eligible to join Local #600 at the date of their retirement.
- H. The Association retains all rights pursuant to these Bylaws to oversee and supervise all activities of Local #600.

ARTICLE XXIX
MISCELLANEOUS PROVISIONS

- A. No member of the State PBA, or any Local Association with twenty-six (26) or more members, will hold more than one (1) office on the State PBA or Local Association Executive Board at any given time. In the event any member is nominated for more than one (1) office on the State PBA or Local Association Executive Board said member must notify their respective Recording Secretary prior to the close of nominations as to which office he desires to accept. Upon said member's failure to do so, the respective Recording Secretary will place said member's name in nomination for the highest State PBA or Local Association Executive Board office nominated.
- B. **Local option.** The State Delegate, Alternate State Delegate, or the 1st or 2nd Convention Delegates are not members of the Executive Board; therefore, Local Association Executive Board members in addition to their office are eligible to seek the elective office of State Delegate, Alternate State Delegate, or the 1st or 2nd Convention Delegate. Supervisor Officers will not be eligible to hold the elective office of State Delegate, Alternate State Delegate, or 1st Convention Delegate if the duties of the 1st Convention Delegate have been expanded to serve as the Local Association's Alternate Delegate.
- C. This Association will have an Official Seal which will be deposited with the State PBA President and will be affixed to official papers issued by and under the authority of this Association.
- D. All life cards and other materials issued by the State Association or any of its Local Associations will bear a union labor seal. Letterhead of the State Association or any of its Local Associations will bear a labor seal. All services employed by the State Association or any of its Local Associations, such as entertainment, bands, etc., will have union membership. Local Associations will be held strictly accountable to the State Association for violations of this article.
- E. The State PBA will have the following Standing Committees: Bylaws, Civil Service, Collective Bargaining, Convention, Correction Officers, County Prosecutors, County Sheriffs, Domestic Violence, Judiciary, Legal Protection, Legislative, New Delegates, Organization, Public Employee/OSHA, Scholarship, Shields, Sports/Special Events, Supervisor Officers Associations, County Conference Chairpersons, and Valor Awards. The State PBA President will appoint all Special and additional Standing Committees pursuant to Article XIII, Section 1 (G) of the State PBA Bylaws to benefit the interests of the State PBA.
- F. The oath for new members:
I, _____, do solemnly swear (or affirm) that I will abide by the Constitution and Bylaws of this Association --- and all orders issued by the Executive Board; --- that I will not reveal any business transacted by this Association to anyone

who is not an active member; --- that I will carry out all the duties of my office --- to the best of my ability --- and also perform my duties --- in the best interests of this Association --- and its members, and I do further promise --- and declare that I will not, --- by word, deed, sign or token,--- injure a fellow member of this Association, so help me, my Ever living God,--- and may He help me to keep this, my solemn oath.

G. The oath for the President:

I, _____, do solemnly swear --- before my Ever living God and fellow man - -- that I will honestly and fairly decide all questions --- which may arise in this Association, --- so help me, my Ever Living God, and may He make me steadfast.

H. The oath for the Executive Board:

I, _____, do pledge myself and solemnly swear --- before the Ever Living God,--- that I will always vote and work for --- the best interests of my Local and State Association,--- without regard to creed or politics,--- and that I will do all in my power --- to create good fellowship amongst all members of this Association;--- and I do further promise --- that I will decide all matters -- which will come before me for final decision fairly and without malice; and I again solemnly swear before my God and Creator, --- so help me, my Ever Living God, --- and may He help me to keep this, my solemn oath.

I. The Order of Business for the State Association:

1. Roll call of Executive Board
2. Approval of minutes from previous meeting
3. Report of officers
4. Resolutions to be introduced adopted and voted
5. Communications
6. Reports of committees
7. Report of retirement system trustee(s)
8. Report on correspondence
9. Unfinished business
10. New business
11. Good & welfare
12. Adjournment

J. The order of business for Local Associations and County Conferences:

1. Roll call of Executive Board
2. Reading of minutes of previous meeting
3. Communications and bills
4. Payments of bills
5. Resolutions to be introduced, adopted and voted
6. Reports of officers
7. Reports of committees
8. Report of delegate

9. Unfinished business
10. New business
11. Good & welfare
12. Adjournment

K. FORM TO BE USED AS A GUIDE FOR FILING INCORPORATION PAPERS:

All Locals and branches of this State Association must obtain and file pursuant to law a Certificate of Incorporation for said Local pursuant to Title 15, Chapter 16, of the Revised Statutes of New Jersey. This Bylaw is to become effective immediately with notice of the same to be given to all of the Locals, which Bylaw will apply to Locals now in existence or hereafter to be chartered.

CERTIFICATE OF INCORPORATION

THIS IS TO CERTIFY THAT the undersigned do hereby associate themselves into a corporation under by virtue of the provisions of an act of the Legislature of the State of NJ entitled "An Act Concerning Corporations and Associations Not For Profit (Title 15, Revised Statutes of New Jersey)", and the several supplements thereto and acts amendatory thereof.

FIRST: The name of the corporation is New Jersey State Police Benevolent Association, Inc., Local No. _____, (Local's name)

SECOND: The location of the principal office is

THIRD: The purpose of said corporation is to obtain mutual aid, protection, welfare, and advancement of its members in good standing and to seek all legitimate aid and assistance for the purpose of promoting, advancing, and improving financially and otherwise in the welfare, conditions, and interests of police officers in its environs and to aid and cooperate with the New Jersey State Policemen's Benevolent Association, Inc., of which this association is a local branch, pursuant to Chapter 16 of Title 15 of the Revised Statutes.

FOURTH: The number of Trustees will be three (3) and the names and post office addresses of the Trustees selected for the first year of its existence are:

- (a) _____
- (b) _____
- (c) _____

FIFTH: Rules and regulations concerning qualifications for membership for election of officers will be set forth in the Bylaws of said corporation and will be subject at all times to the New Jersey State Policemen's Benevolent Association, Inc., of which this organization is a branch, pursuant to Title 15, Chapter 16 of the Revised Statutes of New Jersey.

SIXTH: This organization, which is a subordinate branch of the State Organization above referred to, has obtained permission of the State Association to become incorporated under Title 15, Chapter 16, as in therein provided, and it is further agreed and part of this original charter that this subordinate branch will cease to function as a corporation pursuant to said statutes, at which time a copy

of said resolution will be duly filed in the office of the Secretary of State and recorded in the office of the clerk of the county where the Certificate of Incorporation was recorded.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this day of _____, 20__.

_____ (L.S)

Signed, sealed and delivered in the presence of

ACKNOWLEDGMENT

State of New Jersey:

County of:

BE IT REMEMBERED that on this _____ day of _____,
20_____, before me, the subscriber, personally appeared

who, I am satisfied, are the incorporators mentioned in the within instrument, to who I first made known the contents thereof, and thereupon they acknowledged that they signed, sealed and de- livered the same as their voluntary act and deed, for the uses and purposes therein expressed.

Notary

APPENDIX A
LOCAL ASSOCIATION OPTIONS SUBMISSION FORM

Local Name: Mainland PBA **Local #:** 77

Directions:

1. All Local Associations are governed by the Constitution and Bylaws of the New Jersey State Policemen's Benevolent Association, Inc. This Appendix A must be used to submit Local Association options as permitted in that document. Submit ONLY this Appendix and any additional local bylaws to the State Bylaws Committee; do not send the entire State Constitution and Bylaws document.
2. Additional Local bylaws may be added on a separate sheet(s) at the end of this Appendix. Additional Local bylaws may not contradict any State bylaw in any way. Each page of additional local bylaws should be initialed by the Local Association President and State Delegate.
3. Every option listed below must be approved or denied. Do not leave any item blank.
4. Do not retype, reword, add, delete, amend or alter this document in any way.
5. Local Association bylaw options become effective when they are approved by the State Bylaws Committee and approved by the Board of Delegates at the next State PBA meeting.
6. Any time the State Board of Delegates approves changes to the master Constitution and Bylaws document, they immediately become valid and binding upon all existing Local Associations without any further action.
7. Two (2) completed copies of this Appendix must be submitted by the State Delegate to the State Bylaws Committee in order to be considered. One official signed copy may later be returned for the Local Associations records.

Article I, Section 2A - Organization

The Local Association will be known as the Mainland,
Policemen's Benevolent Association, Local No. 77, a Local Association of the New

Jersey State Policemen's Benevolent Association, Inc., (hereinafter referred to as the "State PBA" or the "Association"), within the County of Atlantic.

Article I, Section 2B - Organization

The Mainland Policemen's Benevolent Association, Inc.,
Local # 77 is formulated as a union of Law Enforcement Officers,
within the County of Atlantic.

Article IV – Supervisor Officers

S ection 7A. Accepted XX Denied ection 7F. XX Accepted Denied
S ection 7B. XX Accepted Denied Section 7G. XX Accepted Denied
S ection 7C. XX Accepted Denied ection 7H. Accepted XX Denied
S ection 7D. Accepted XX Denied ection 7I. XX Accepted Denied
S ection 7E. Accepted XX Denied Section 7J. Accepted XX Denied

Article VII – Appointment of Alternate Delegate

S ection 4. Accepted XX Denied

ARTICLE V - EXECUTIVE BOARD/ BOARD OF DIRECTORS

Section 2B. XX Accepted Denied

Article VII – Expansion of 1st Convention Delegate

Section 6. Accepted XX Denied

Article VII – Delegate Expenses

Section 7. Enter amount of per annum expenses paid: \$1760.00

(Note: minimum amount is \$1,760 [11 State meetings + 11 County meetings x \$80 = \$1,760])

Article VIII – Meetings and Quorum

S ection 3. *Accepted XX Denied

*If accepted, enter new quorum here: _____

Article IX – Delegate Appointment of Convention Delegates

Section 5. ___Accepted XX Denied

Article XII – Elections and Eligibility

Section 11A. XX Accepted ___ Denied

Section 11B. XX Accepted ___ Denied

Section 11C. ___ Accepted XX Denied

Article XII – American Arbitration Association

Section 13. ___Accepted XX Denied

Article XII – Officers Expenses

Subsection A. President:	___\$2,500	Financial Secretary:	___\$400
Vice-President:	___\$500	Sgt.-at-Arms:	___\$225
Recording Secretary:	___\$500	Trustee:	___\$225
Treasurer:	___\$400		

Article XVII – Local Association Dues

Section 2B. Annual dues: ___\$840

(Enter actual amount or the formula used to compute amount)

Article XVII – Expenditures

Section 2E. Vote required for amount in excess of: \$8,500


Article XXIX – Miscellaneous Provisions

Section B. XX Accepted ___ Denied

Additional Local Bylaws

Any additional local bylaws must be typed on a separate page(s) and submitted along with this form. Each page should be initialed by Local Association President and State Delegate.

The chart below is to assist Local Associations in the proper and timely process of locally ratifying and submitting their Local options and additional Local bylaws. This must be completed fully:

Action required:	Date Completed	Delegate Initial	President Initial
1. Review of bylaw document from intranet with a <u>draft</u> of all Local Options selected. (Can be done by committee if desired)	4-3-19	MP ₁₂₈	C.R.
2. At least 10 day notice of first reading at next Local meeting.	4-3-19	MP ₁₂₈	C.R.
3. First reading of proposed Local options and additional local bylaws at regular meeting (no discussion required yet). The full proposed document may be made available to all voting members in lieu of reading out loud.	4-17-19	MP ₁₂₈	C.R.
4. At least 10 day notice of second reading and vote at next Local meeting.	5-1-19	MP ₁₂₈	C.R.
5. Second reading of proposed options and additional local bylaws at regular meeting. The full proposed document may be made available to all voting members ahead of time in lieu of reading out loud. Draft options and additional bylaws may be proposed, discussed, adopted and/or rejected at this second reading. A formal vote is held and 2/3 of members in attendance vote to adopt.	5-15-19	MP ₁₂₈	C.R.
6. State Delegate submits two (2) copies of approved Appendix A and any Additional Local bylaws to State Bylaws Committee for approval.	5/22/19		C.R.

Christopher Riccio
Local President Name (printed)

Christopher Riccio
Signature

5/15/19
Date

Michael Palmentieri
State Delegate Name (printed) Signature

5/15/19
Date

State Bylaws Committee use only:

1. Recommendation of Committee: Approved ☒ Rejected ☐ Date: 9-5-19

2. Notes (committee members approving, reasons for rejection, etc.):

[Handwritten signatures and names with numbers]
#401
#4
John Moore #12
M.D. W #174
VAT #217
Buan Brawley #145
Mimi H #108
JL P. C. #168

3. Approved by Board of Delegates: Approved ☒ Rejected ☐ Date: 9-5-19

[Handwritten signature]

Signature, Bylaws Committee Chairman

APPENDIX B
COUNTY CONFERENCE OPTIONS SUBMISSION FORM

Conference Name: _____

Directions:

- ~~1. All County Conferences are governed by the Constitution and Bylaws of the New Jersey State Policemen's Benevolent Association, Inc. This Appendix B must be used to submit County Conference options as permitted in that document. Submit ONLY this Appendix and any additional Conference bylaws to the State Bylaws Committee; do not send the entire State Constitution and Bylaws document.~~
- ~~2. Additional Conference bylaws may be added on a separate sheet(s) at the end of this Appendix. Additional Conference bylaws may not contradict any State bylaw in any way. Each page of additional bylaws should be initialed by the County Conference Chairperson and Co-Chairperson.~~
- ~~3. Every option listed below must be approved or denied. Do not leave any item blank.~~
- ~~4. Do not retype, reword, add, delete, amend or alter this document in any way.~~
- ~~5. County Conference bylaw options become effective when they are approved by the State Bylaws Committee and approved by the Board of Delegates at the next State PBA meeting.~~
- ~~6. Any time the State Board of Delegates approves changes to the master Constitution and Bylaws document, they immediately become valid and binding upon all existing County Conferences without any further action.~~
- ~~7. Two (2) completed copies of this Appendix must be submitted by the County Chairperson to the State Bylaws Committee in order to be considered. One official signed copy may later be returned for the County Conferences records.~~

Article I, Section 3A - Organization

This County Conference will be known as the _____, Inc.,
hereinafter referred to as the "County Conference" or the "Conference" of the New

~~Jersey State Policemen's Benevolent Association, Inc., (hereinafter referred to as the "State PBA" or the "Association").~~

~~Article I, Section 3B - Organization~~

~~The _____ County Conference of the New Jersey State Policemen's Benevolent Association, Inc., is formulated as a fraternal organization of member Local Associations within the County. The purpose of this Conference is to unite member Local Associations in order to promote mutual cooperation and assist in economic, social and professional advancement of all law enforcement within the County. By forming member Local Associations into an organized Conference, it will better protect their rights, promote their welfare and forward their interests, as well as extend their sphere of usefulness; therefore, we do form ourselves into the _____ County Conference of the New Jersey State Policemen's Benevolent Association, Inc.~~

~~Article XII – Local Presidents Rights in Conference~~

~~Section 19C. Accepted Denied~~

~~Article XII – American Arbitration Association~~

~~Section 21. Accepted Denied~~

~~Article XII – Expenses Paid per annum~~

~~Section 25. Accepted Denied~~

~~Article XIV – Attorney~~

~~Section 3A. Accepted Denied~~

~~Article XVII – Dues~~

~~Section 3B. Annual dues: _____~~

~~(Enter actual amount or the formula used to compute amount)~~

~~Additional Local Bylaws~~

~~Any additional Conference bylaws must be typed on a separate page(s) and submitted along with this form. Each page should be initially by County Conference Chairperson and Co-Chairperson.~~

~~The chart below is to assist County Conferences in the proper and timely process of locally ratifying and submitting their County options and additional County bylaws. This must be completed fully:~~

Action required:	Date Completed	Delegate Initial	President Initial
1. Review of bylaw document from intranet with a <u>draft</u> of all County Options selected. (Can be done by committee if desired)			
2. At least 10 day notice of first reading at next County meeting.			
3. First reading of proposed County options and additional County bylaws at regular meeting (no discussion required yet). The full proposed document may be made available to all voting members in lieu of reading out loud.			
At least 10 day notice of second reading and vote at next County meeting.			
5. Second reading of proposed options and additional County bylaws at regular meeting. The full proposed document may be made available to all voting members ahead of time in lieu of reading out loud. Draft options and additional bylaws may be proposed, discussed, adopted and/or rejected at this second reading. A formal vote is held and 2/3 of members in attendance vote to adopt.			
6. County Chairperson submits two (2) copies of approved Appendix B and any additional County bylaws to State Bylaws Committee for approval.			

County Chairperson (printed)	Signature	Date
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Co-Chairperson Name (printed)	Signature	Date
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~~State Bylaws Committee use only:~~

~~7. Recommendation of Committee: Approved ☐ Rejected ☐ Date: _____~~

~~8. Notes (committee members approving, reasons for rejection, etc.):~~

~~9. Approved by Board of Delegates: Approved ☐ Rejected ☐ Date: _____~~

~~Signature, Bylaws Committee Chairman~~

STATE BYLAW COMMITTEE

Patrick Moran, Local #144, Chairperson

John Monsees, Local #12

Kelly Polack, Local #214

Frank Cipully, Local #168

Brian Brownlie Local #145

Rodney Furby Local #298

Michael Heller Local #108

Luke Sciallo Local #57

Everett Garnto Local #46

Revised and Adopted: June 1997

Further Revised and Adopted: November 15, 2005

Further Revised and Adopted: June 13, 2011

Further Revised and Adopted: May 21, 2012

Further Revised and Adopted: April 16, 2013

Further Revised and Adopted: January 18, 2015

Further Revised and Adopted: March 5, 2015

Further Revised and Adopted: June 28, 2016

Further Revised and Adopted: December 5, 2017

NEW JERSEY STATE
POLICEMEN'S BENEVOLENT ASSOCIATION
MAINLAND LOCAL #77

"Protecting Those Who Protect Others Since 1931"

ABSECON CITY
ATL. CO. PROSECUTORS
EGG HARBOR CITY
EGG HARBOR TOWNSHIP
GALLOWAY TOWNSHIP
HAMILTON TOWNSHIP



HAMMONTON CITY
LINWOOD CITY
MULLICA TOWNSHIP
NORTHFIELD CITY
PLEASANTVILLE CITY
SOMERS POINT CITY

MAINLAND PBA LOCAL 77 ADDENDUM

DEATH BENEFIT OF MAINLAND PBA 77

Upon the death of an active member as defined in ARTICLE IV, section 1 paragraphs "A" or "B" and is a member in good standing as defined in ARTICLE IV section 2 paragraph "A", the Local Association will pay a death benefit to any active member enrolled in the Mainland PBA 77 Legal Protection Fund (LPF) as outlined in the Mainland PBA 77 Legal Protection Fund (LPF) Plan Document to an individual or individuals designated in writing and on file with the Local Association by the deceased member. Absent a written designation, the payment will be made as follows: first to spouse or civil union partner; if no surviving spouse or civil union partner, to the children equally; if no surviving children, to the parents equally; if no surviving parents, then to the officer's estate or trust. All monies will be paid immediately. Disputes or disputed claims hereunder will be subject to final decision by the Local Association President at his sole discretion.

SILVER LIFE CARD GUIDELINES OF MAINLAND PBA 77

- A.** To establish a standard serving the best interest of the Local Association both fiscally and by making it a level of achievement, rather than just recognition received upon retirement.
- B.** Any member qualifying should prepare or have submitted documentation setting forth the basis by which the award of Silver Life Card may be made. The documentation must be presented to the Local Association Executive Board for review. A majority vote by the Local Association Executive Board authorizing the expenditure for the Silver Life Membership Card is required.

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MAINLAND PBA LOCAL 77 ADDENDUM

SILVER LIFE CARD QUALIFICATIONS

Silver Life Card applicants **MUST** satisfy either steps 1, 2, or 3 as set forth below to qualify for a Silver Life Membership Card paid for by the Local Association;

1. Retirement by the applicant with at least twenty (20) years of pensionable service as defined by NJ PFRS or NJ PERS Law Enforcement.
2. Ordinary Disability Pension as defined by NJ PFRS with at least ten (10) years as a member of this Local Association.
3. Accidental Disability Pension received as defined by NJ PFRS while a member of this Local Association.

In addition to the above, the applicant MUST satisfy step 4, step 5, step 6 and Step 7 as set forth below;

4. Service to the Local in at least two (2) of the following;
 - A. Shop Steward = Local Agency Bargaining Unit Representative
 - B. Executive Board Member
 - C. Extraordinary service to the Local as determined by the Local Association Executive Board
5. No evidence of activities contrary to the best interest of the Local Association
6. Must NOT be terminated from employment for just cause
7. Be a member of the Local Association in good standing upon separation from employment.

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MAINLAND PBA LOCAL 77 ADDENDUM

SILVER LIFE CARD QUALIFICATIONS CONTINUED

The Local Association Executive Board may suspend the above requirements by a majority vote of Executive Board Members.

- C. Any member in good standing upon retirement that does not qualify for a Silver Life Membership Card as described above, shall be eligible to purchase a Silver Life Membership Card at the prevailing rate at the time of ordering said card. In order to purchase a Silver Life Membership Card, the Local Association needs you to provide your rank and name EXACTLY as you want it to appear on the Silver Life Membership Card to the Local Association at which time the current price will be provided. Should a member decide to place the order for the Silver Life Membership Card then payment would be required prior to the order being placed.

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MAINLAND PBA LOCAL 77 ADDENDUM

LEGAL PROTECTION FUND (LPF) OF MAINLAND PBA 77

- A. The Mainland PBA #77 Legal Protection Fund ("LPF") is a member-funded benefit administered by Mainland PBA 77 ("PBA") solely for its members. The LPF provides for the cost of legal defense and related expenses in criminal, civil and administrative proceedings of PBA members who choose to enroll in the Plan. Coverage under the LPF is not effective until the member completes the LPF application form, dues deduction form and submits it to the Mainland PBA Office for approval. The LPF is operated pursuant to rules and conditions promulgated by the New Jersey State PBA Mainland Local 77 LPF Plan Document. Any disputes arising from the administration of the plan shall be brought forth to the Local Associations Executive Board for a determination of the issue in dispute. All decisions issued by the Local Associations Executive Board shall be binding and final.
- B. Mainland PBA 77 reserves the right to enhance the benefits of the LPF plan to include coverage of an event that may not otherwise be covered by the New Jersey State PBA LPP plan when Mainland PBA 77's Executive Board determine that such coverage is warranted to cover legitimate union needs. These instances will be determined on a case by case basis.
- C. Coverage for Class III Officers is available by joining the New Jersey State PBA Retired Members Local, Local 600 and electing to participate in their LPP plan. Likewise, coverage for retired officers is also available by joining Local 600 and their LPP plan. No LPF coverage for retired members is included through Mainland PBA 77.