

ASSEMBLY HOMELAND SECURITY AND STATE
PREPAREDNESS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 238

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 19, 2020

The Assembly Homeland Security and State Preparedness Committee reports favorably and with committee amendments Senate Committee Substitute for Senate Bill No. 238.

As amended and reported by the committee, Senate Committee Substitute for Senate No. 238 revises current law regarding the Junior Firefighters' Auxiliary.

Under current law, a person between the ages of 14 and 21 who obtains permission from a parent or guardian may become a member of the Junior Firefighters' Auxiliary with a volunteer fire department. This committee substitute reduces the age limit for membership to persons between the ages of 14 and 18.

The amended committee substitute also allows a fire district, regional authority, or county in this State that maintains a paid or volunteer fire department to establish a Junior Firefighters' Auxiliary. Under current law, only volunteer fire departments are permitted to establish a Junior Firefighters' Auxiliary.

In addition, the committee substitute requires Junior Firefighters' Auxiliary applicants to be interviewed by officers of the fire department with a parent or guardian present. Junior Firefighters' Auxiliary applicants also are required to submit documentation from a qualified physician verifying that the applicant is medically able to perform the activities of the auxiliary.

Current labor law provides that minors under the age of 18 are prohibited from participating in certain work-related tasks, but allows an exemption for members of the Junior Firefighters' Auxiliary who are 16 years of age or older and perform authorized fire-related duties. This committee substitute reduces this age exemption from 16 to 14 years of age.

The committee substitute also requires entities establishing Junior Firefighters' Auxiliaries to provide a minimum amount of workers' compensation insurance to auxiliary members who perform certain duties. Current law requires auxiliary members to

be provided with insurance coverage identical to that provided to regular members of the fire department or district.

The committee substitute also grants the Commissioner of Community Affairs authority to promulgate regulations pertaining to the training of Junior Firefighter Auxiliary members and establish the duties they may perform at training events and emergency scenes. The regulations are to become effective immediately upon being filed with the Office of Administrative Law and remain in effect for 180 days. Thereafter, the commissioner is required to amend, adopt, or readopt the regulations in accordance with "Administrative Procedure Act."

Finally, the committee substitute replaces the term "firemen" with the preferred, gender neutral term, "firefighter."

As amended and reported by the committee, Senate Committee Substitute No. 238 is identical to Assembly Committee Substitute No. 1106 which also was reported by the committee on this date.

COMMITTEE AMENDMENTS

The committee amendments require entities establishing Junior Firefighters' Auxiliaries to provide a minimum amount of workers' compensation insurance to auxiliary members who perform certain duties. Current law requires auxiliary members to be provided with insurance coverage identical to that provided to regular members of the fire department or district.