

ASSEMBLY, No. 2843

STATE OF NEW JERSEY

INTRODUCED MARCH 24, 1997

By Assemblymen BUCCO, CARROLL and Augustine

1 AN ACT concerning the appointment of certain firefighters and  
2 amending P.L.1993, c.187.

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

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7 1. Section 2 of P.L.1993, c. 187 (C.40A:14-9.9) is amended to  
8 read as follows:

9 2. a. The provisions of any other law to the contrary  
10 notwithstanding, the appointing authority of a municipality which,  
11 pursuant to N.J.S.40A:14-7, has established and maintains a paid or  
12 part-paid fire department and force may appoint as a member or  
13 officer of the municipal fire department and force any person who:

14 (1) was serving as an officer or member in good standing in any  
15 paid or part-paid municipal fire department and force; and

16 (2) satisfactorily completed a working test period in a firefighter  
17 title in a municipality which has adopted Title 11A, Civil Service, of  
18 the New Jersey Statutes or satisfactorily completed a comparable,  
19 documented probationary period in a firefighter title in a municipality  
20 which has not adopted Title 11A, Civil Service; and

21 (3) was, for reasons of economy, terminated as a firefighter within  
22 ~~[36]~~60 months prior to the appointment.

23 b. A municipality may employ such a person notwithstanding that:  
24 (1) Title 11A, Civil Service, of the New Jersey Statutes is  
25 operative in that municipality;

26 (2) the municipality has available to it an eligible or regular  
27 reemployment list of persons eligible for such appointments; and

28 (3) the appointed person is not on any eligible list. A municipality  
29 which has adopted Title 11A, Civil Service, may not employ such a  
30 person if a special reemployment list is in existence for the firefighter  
31 title to be filled.

32 c. If a municipality determines to appoint a person pursuant to the  
33 provisions of this act, it shall give first priority in making such  
34 appointments to residents of the municipality and second priority to

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

**Matter underlined thus is new matter.**

1 residents of the county not residing in the municipality.

2 d. The seniority, seniority-related privileges and rank a firefighter  
3 possessed with the employer who terminated the firefighter's  
4 employment for reasons of economy shall not be transferable to a new  
5 position when the firefighter is appointed to a firefighter position  
6 pursuant to the provisions of this section.

7 (cf: P.L.1993, c.187, s.2)

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9 2. This act shall take effect immediately.

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12 STATEMENT

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14 This bill would increase from 36 to 60 months the period during  
15 which laid-off firefighters would be eligible, and accorded preference,  
16 for reemployment appointments.

17 Qualified firefighters who are laid-off for reasons of economy can  
18 be placed on a special statewide reemployment list that would be  
19 circulated to local governmental appointing authorities by the  
20 Department of Personnel. This priority hiring program would benefit  
21 both local governmental units seeking to employ trained and  
22 experienced firefighters and qualified officers seeking reemployment.

23 One of the program's statutory qualifications is that firefighters are  
24 only eligible during the initial 36 months following the official date of  
25 their lay-off. Highly trained and qualified firefighters could be  
26 dropped from the program because they may be unable, through no  
27 fault of their own, to secure reemployment within that arbitrary 36  
28 month period. The purpose of this bill is to assist such firefighters by  
29 extending the eligibility period to 60 months. It parallels amendments  
30 made under P.L.1996, c.13 which provided a comparable extension for  
31 certain law enforcement officers.

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Authorizes hiring of certain firefighters by municipalities.