

[First Reprint]
SENATE, No. 132

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senators KYRILLOS and CONNORS

1 AN ACT concerning the employment of certain firefighters by
2 municipalities, and supplementing chapter 14 of Title 40A of the
3 New Jersey Statutes.

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

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8 1. a. The provisions of any other law to the contrary
9 notwithstanding, the appointing authority of a municipality which,
10 pursuant to N.J.S.40A:14-7, has established and maintains a paid or
11 part-paid fire department and force ¹or the board of fire commissioners
12 in the case of a fire district established pursuant to the provisions of
13 N.J.S.40A:14-70 et seq.¹ may appoint as a member or officer of that
14 fire department or force any person who:

15 (1) was serving as a civilian federal firefighter in good standing at
16 any U.S. military installation in the State;

17 (2) satisfactorily completed such firefighter training as is required
18 for employment as a civilian federal firefighter; and

19 (3) was, as a consequence of the closure of a federal military
20 installation in this State, terminated as a civilian federal firefighter
21 within ¹[36] 48¹ months prior to the appointment.

22 b. A municipality may employ such a person notwithstanding that:

23 (1) Title 11A, Civil Service, of the New Jersey Statutes is
24 operative in that municipality;

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

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

31 c. If a municipality determines to appoint a person pursuant to the

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted September 26, 1996.

1 provisions of this act, it shall give first priority in making such
2 appointments to residents of the municipality and second priority to
3 residents of the county not residing in the municipality.

4 d. The seniority, seniority-related privileges and rank a civilian
5 federal firefighter possessed while employed at a federal military
6 installation shall not be transferable to a position in a municipal fire
7 department and force obtained pursuant to the provisions of this
8 section.

9 e. To effectuate the purposes of this section, the Department of
10 Personnel shall prepare and circulate, to those municipalities which
11 have established and maintain fire departments and forces pursuant to
12 N.J.S.40A:14-7, ¹and to boards of fire commissioners in the case of
13 fire districts established pursuant to the provisions of N.J.S.40A:14-70
14 et seq.,¹ a list of civilian federal firefighters eligible for appointment
15 under the provisions of this section. ¹The Department of Personnel
16 shall also circulate the list to municipalities and fire districts that have
17 not adopted Title 11A, Civil Service, of the New Jersey Statutes.¹

18 ¹[To assist in the preparation of the list required under the
19 provisions of this subsection, the department shall consult with the
20 employee organizations representing those civilian federal firefighters.]

21 Placement on the list compiled by the department shall be governed
22 by length of service as a federal firefighter. A federal firefighter may
23 apply for placement on the list at the time he or she receives a notice
24 of termination of position or a priority placement program notice, and
25 shall remain on the list for a period of four years.¹

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27 2. This act shall take effect immediately.

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Authorizes municipalities to hire certain unemployed firefighters.