

SENATE, No. 535

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Senator BASSANO

1 AN ACT concerning mutual police and fire aid agreements and  
2 amending and supplementing P.L.1976, c.45.

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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 1 of P.L.1976, c.45 (C.40A:14-156.1) is amended to  
8 read as follows:

9 1. The governing bodies of two or more municipalities may by  
10 reciprocal ordinances enter into agreements with each other for mutual  
11 police or fire aid in case of emergency. Such agreements, in  
12 accordance with section 2. of P.L. , c. (C. )(now before the  
13 Legislature as this bill), shall provide for the allocation of liabilities for  
14 any payments resulting from injuries suffered by any member of a  
15 police force or of a paid, part-paid, or volunteer fire department or  
16 force, and for any payments to a surviving spouse or other dependent  
17 if the member died while rendering mutual aid pursuant to the  
18 agreement. The agreement also may provide for:

19 a. The reimbursement of the municipality or municipalities  
20 rendering such aid, for any damage to police or fire equipment or other  
21 property[, and for payment to any member of a police force or fire  
22 department and force or volunteer fire company for injuries sustained  
23 while serving pursuant to such agreements or to a surviving spouse or  
24 other dependent if death results];

25 b. A joint meeting of the municipalities entering into such  
26 agreements, for the selection of necessary officers or personnel, or for  
27 such other matters as are mutually deemed necessary; and

28 c. The acquisition of lands, and the establishment and maintenance  
29 of a central office. Real and personal property so acquired shall be  
30 held by such municipalities as tenants in common.

31 (cf: P.L.1976, c.45, s.1)

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33 2. (New section) Whenever the governing bodies of two or more  
34 municipalities enter into an agreement for mutual police or fire aid

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

**Matter underlined thus is new matter.**

1 pursuant to P.L.1976, c.45 (C.40A:14-156.1 et seq.), they shall, as  
2 part of that agreement, agree to an allocating of the liability for any  
3 payments and costs resulting from any injuries suffered by members of  
4 a police force or of a paid, part-paid or volunteer fire department or  
5 force, or from the death of a member while rendering mutual  
6 assistance. The liabilities subject to allocation under this section shall  
7 include salary, pension rights, workmen's compensation and other  
8 employment benefits to which the member, or his designee or legal  
9 representative, is entitled.

10 The Attorney General, after consultation with the Commissioner of  
11 Labor, shall adopt guidelines governing the form and content of the  
12 agreement required under the provisions of this section.

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14 3. This act shall take effect immediately.

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#### STATEMENT

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19 This bill would require the governing bodies of municipalities which  
20 enter into mutual aid agreements for police and fire emergency  
21 services to include, as part of that pact, a provision outlining their  
22 individual responsibilities for sharing any employee benefit or  
23 compensation costs that occur because a police officer or a firefighter  
24 is injured or killed while rendering mutual aid service.

25 The Attorney General, after consulting with the Commissioner of  
26 Labor, is to provide guidelines prescribing the form and content of the  
27 agreement for allocating liabilities among the participating mutual aid  
28 municipalities.

29 Under current law, participating governing bodies are permitted,  
30 but not required, to include such a provision in their mutual aid pact.

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35 Requires mutual aid municipalities to enter into certain shared liability  
36 agreements.