

SENATE, No. 1422

STATE OF NEW JERSEY

INTRODUCED JULY 25, 1996

By Senators MATHEUSSEN and INVERSO

1 **AN ACT** concerning the appointment of certain firefighters to paid or
2 part-paid fire departments and amending N.J.S.40A:14-44 and
3 N.J.S.40A:14-45.

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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. N.J.S.40A:14-44 is amended to read as follows:

9 40A:14-44. a. In any municipality where there is a volunteer fire
10 company or force, maintained and controlled by the municipality and
11 a part-paid fire department composed of both paid and volunteer
12 firemen, any appointment to such part-paid fire department shall be
13 made from the members of the volunteer fire company or force, who
14 shall have served as active firemen for at least 2 years next preceding
15 such appointment or from among the exempt firemen of the company
16 or force. If no such member or exempt fireman is available for such
17 appointment, any qualified person may be appointed thereto. Said
18 appointees shall not be under 21 or over 40 years of age at the time of
19 the appointment.

20 b. In any municipality where there is a fire district maintained and
21 controlled by a board of fire commissioners and supported by a fire
22 district tax paid by the municipal taxpayers, and in which a fire
23 department or force that is part of the fire district is a part-paid fire
24 department or force composed of both paid and volunteer firemen, any
25 appointment to the part-paid fire department or force shall be made
26 from the members of the volunteer fire department or force who shall
27 have served as active firemen for at least 2 years next preceding the
28 appointment or from among the exempt firemen of the department or
29 force. If no such member or exempt fireman is available for
30 appointment, any qualified person may be appointed. An appointee
31 shall not be under 21 or over 40 years of age at the time of the
32 appointment.

33 (cf: N.J.S.40A:14-44)

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 2. N.J.S.40A:14-45 is amended to read as follows:

2 40A:14-45. In any municipality or fire district where an
3 examination is scheduled to determine appointments to the paid or
4 part-paid fire department and force, including a part-paid department
5 and force that is part of a fire district, any qualified fireman having
6 served in the volunteer fire company or force of the municipality or of
7 the fire district for at least 2 years next preceding such appointment
8 shall be entitled, in addition to his earned rating, to service credits of
9 not less than 3 nor more than 10 points as may be determined by the
10 governing body of the municipality or the authority in charge of the
11 appointment process. Said appointee shall be over 21 but not more
12 than 40 years of age at the time of the appointment.

Nothing herein contained shall establish a preference over a paid fireman temporarily dismissed or on leave of absence for reasons of economy, or the appointment of a paid fireman to a superior position at the time of promotion in said fire department or force.

17 (cf: N.J.S.40A:14-45)

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19 3. This act shall take effect immediately.

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STATEMENT

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This bill requires that any appointment to a paid position in a part-paid fire department or force that is a part of a fire district must be made from the volunteer members of that fire department or force who have served as active firemen for at least 2 years next preceding the appointment, or from the exempt firemen of the company or force. The bill also requires that in any fire district where an examination is scheduled to determine appointments to a part-paid fire department and force that is part of a fire district, any qualified fireman having served as a volunteer for at least two years next preceding the appointment will be given not less than 3 or more than 10 service credits, as determined by the authority in charge of the appointment process.

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40 Establishes hiring preference on paid or part-paid fire departments for
41 certain volunteer firefighters.