

[First Reprint]

SENATE, No. 1634

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:

Senator MICHAEL J. DOHERTY

District 23 (Hunterdon, Somerset and Warren)

Senator GERALD CARDINALE

District 39 (Bergen and Passaic)

Co-Sponsored by:

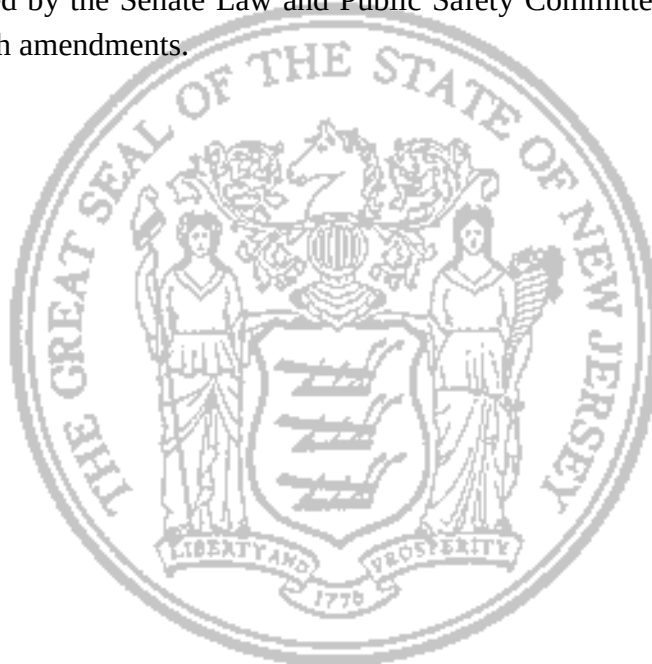
Senators A.M.Bucco, Oroho and O'Scanlon

SYNOPSIS

Raises maximum eligibility age for exempt fireman certificates and membership in New Jersey State Firemen's Association.

CURRENT VERSION OF TEXT

As reported by the Senate Law and Public Safety Committee on December 10, 2020, with amendments.



(Sponsorship Updated As Of: 10/8/2020)

1 AN ACT concerning exempt fireman certificates and New Jersey
 2 State Firemen's Association membership and amending
 3 N.J.S.40A:14-56 and R.S.43:17-9.

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

7
 8 1. N.J.S.40A:14-56 is amended to read as follows:

9 40A:14-56. A member of the fire department and force of a
 10 municipality shall be entitled to an exempt fireman certificate when it
 11 appears that at the time of his appointment he was of good moral
 12 character and was not under 18 or over **[45]** ¹**[60]** ⁵⁷ years of age
 13 and that he had performed during a period of seven years, 60% of fire
 14 duty or after January 1, 2009, 50% of fire duty, ¹or after January 1,
 15 2019, the percentage rate set by the Executive Committee of the New
 16 Jersey State Exempt Firemen's Association¹ in each year, respectively.
 17 Any member who otherwise would be eligible for an exempt fireman
 18 certificate, but who, as the result of an injury or injuries incurred out of
 19 or in the course of fire duty, is permanently unable to fulfill the seven-
 20 year performance requirement set forth in this section, shall be entitled
 21 to an exempt fireman certificate if, at the time he incurred the injury or
 22 injuries, the member had performed during a period of five years, 60%
 23 of fire duty or after January 1, 2009, 50% of fire duty, ¹or after
 24 January 1, 2019, the percentage rate set by the Executive Committee
 25 of the New Jersey State Exempt Firemen's Association¹ in each year,
 26 respectively. In cases where the appointment was made during the war
 27 years the age limit shall be extended 10 years. Service in the United
 28 States Armed Forces during the war years shall be considered as fire
 29 duty service.

30 Service in more than one municipal fire department, for separate
 31 periods not concurrent, amounting in the aggregate to seven years,
 32 shall be deemed equivalent to seven years' service in a single
 33 municipal fire department and any fireman so serving shall be entitled
 34 to an exempt fireman certificate from the department and force in the
 35 municipality wherein he is serving at the time when he becomes
 36 entitled to the certificate. The prior service shall be certified by the
 37 chief executive officer of the municipality or municipalities wherein
 38 the member served and attested by the municipal clerk or clerks.
 39 (cf: P.L.2014, c.64, s.2)

40
 41 2. R.S.43:17-9 is amended to read as follows:

42 43:17-9. The membership of such corporation shall consist,
 43 without any formal election thereto, of the officers and members of
 44 such fire engine, hook and ladder, hose and supply company or
 45 companies, fire association or fire department, or board of firewardens,

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SLP committee amendments adopted December 10, 2020.

1 as shall be under the supervision or control of the governing board or
2 body of the municipality or fire district and who, at the time of their
3 becoming eligible for membership in the New Jersey State Firemen's
4 Association, shall be not less than 18 years of age and who were not
5 more than ~~45~~ ¹~~60~~ 57 years of age at the time of joining the fire
6 engine, hook and ladder, hose and supply company or companies, fire
7 association or fire department, or board of firewardens and shall
8 furnish evidence of good health in accordance with such reasonable
9 rules and regulations as the executive committee of the New Jersey
10 State Firemen's Association shall from time to time establish; the
11 officers and members of any nonprofit corporations and associations
12 incorporated pursuant to N.J.S.15A:1-1 et seq.; and the officers and
13 members of any association therein of exempt firemen. The whole
14 body of the membership of such corporation shall have the same rights
15 therein as the charter members thereof.

16 (cf: P.L.1998, c.90, s.1)

17

18 3. This act shall take effect immediately ¹and be retroactive to
19 January 1, 2020¹.