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LAW/KR

P.L.2012, CHAPTER 33, *approved August 7, 2012*
Senate, No. 965 (*First Reprint*)

1 AN ACT concerning civilian federal firefighters and amending
2 P.L.1996, c.140.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 1 of P.L.1996, c.140 (C.40A:14-182) is amended to
8 read as follows:

9 1. 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 or the board of fire
13 commissioners in the case of a fire district established pursuant to
14 the provisions of N.J.S.40A:14-70 et seq., may appoint as a member
15 or officer of that fire department or force any person who:

16 (1) was serving as a civilian federal firefighter in good standing
17 at any U.S. military installation in the State in a career or
18 conditional career status;

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

21 (3) was, as a consequence of the closure of, or a reduction in
22 force or elimination of his position at, a federal military installation
23 in this State, terminated as a civilian federal firefighter within 60
24 months prior to the appointment.

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

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

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

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

35 c. If a municipality determines to appoint a person pursuant to
36 the provisions of this act, it shall give first priority in making such
37 appointments to residents of the municipality and second priority to
38 residents of the county not residing in the municipality.

39 d. The seniority, seniority-related privileges and rank a civilian
40 federal firefighter possessed while employed at a federal military
41 installation shall not be transferable to a position in a municipal fire

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 February 6, 2012.

1 department and force obtained pursuant to the provisions of this
2 section.

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

13 Placement on the list compiled by the **【department】** commission
14 shall be governed by length of service as a federal firefighter. A
15 federal firefighter may apply for placement on the list at the time he
16 or she receives a notice of termination of position or a priority
17 placement program notice, and shall remain on the list for a period
18 of four years. '【The commission shall consult with the
19 organizations which represent civilian federal firefighters when
20 compiling the list.】'

21 (cf: P.L.2010, c.43, s.2)

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23 2. This act shall take effect immediately.

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28 Extends hiring preference for certain civilian federal firefighters.

SENATE, No. 965

STATE OF NEW JERSEY
215th LEGISLATURE

INTRODUCED JANUARY 17, 2012

Sponsored by:
Senator LORETTA WEINBERG
District 37 (Bergen)

SYNOPSIS

Extends hiring preference for certain civilian federal firefighters.

CURRENT VERSION OF TEXT

As introduced.



S965 WEINBERG

2

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12 part-paid fire department and force or the board of fire
13 commissioners in the case of a fire district established pursuant to
14 the provisions of N.J.S.40A:14-70 et seq., may appoint as a member
15 or officer of that fire department or force any person who:

16 (1) was serving as a civilian federal firefighter in good standing
17 at any U.S. military installation in the State in a career or
18 conditional career status;

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

21 (3) was, as a consequence of the closure of, or a reduction in
22 force or elimination of his position at, a federal military installation
23 in this State, terminated as a civilian federal firefighter within 60
24 months prior to the appointment.

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

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

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

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

35 c. If a municipality determines to appoint a person pursuant to
36 the provisions of this act, it shall give first priority in making such
37 appointments to residents of the municipality and second priority to
38 residents of the county not residing in the municipality.

39 d. The seniority, seniority-related privileges and rank a civilian
40 federal firefighter possessed while employed at a federal military
41 installation shall not be transferable to a position in a municipal fire
42 department and force obtained pursuant to the provisions of this
43 section.

44 e. To effectuate the purposes of this section, the Civil Service
45 Commission shall prepare and circulate, to those municipalities

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

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1 which have established and maintain fire departments and forces
2 pursuant to N.J.S.40A:14-7, and to boards of fire commissioners in
3 the case of fire districts established pursuant to the provisions of
4 N.J.S.40A:14-70 et seq., a list of civilian federal firefighters eligible
5 for appointment under the provisions of this section. The Civil
6 Service Commission shall also circulate the list to municipalities
7 and fire districts that have not adopted Title 11A, Civil Service, of
8 the New Jersey Statutes.

9 Placement on the list compiled by the [department] commission
10 shall be governed by length of service as a federal firefighter. A
11 federal firefighter may apply for placement on the list at the time he
12 or she receives a notice of termination of position or a priority
13 placement program notice, and shall remain on the list for a period
14 of four years. The commission shall consult with the organizations
15 which represent civilian federal firefighters when compiling the list.
16 (cf: P.L.2010, c.43, s.2)

17

18 2. This act shall take effect immediately.

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STATEMENT

22

23 This bill would permit a municipality or fire district to appoint a
24 civilian federal firefighter who lost his position as the result of a
25 reduction in force or the termination of their position at a federal
26 military installation, even if the municipality has adopted the Civil
27 Service rules. Under current law, a municipality may only hire a
28 civilian federal firefighter, while ignoring Civil Service rules, if the
29 military installation has been closed. This bill would extend this
30 hiring preference to firefighters who are unemployed as a result a
31 reduction in force or elimination of firefighter's position.

32 Current law requires the Civil Service Commission to prepare
33 and circulate to municipalities and fire districts a list of the civilian
34 federal firefighters eligible for appointment to a local fire
35 department. The bill would require the commission to consult with
36 the professional organizations which represent the civilian fire
37 fighters when preparing the list.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 965

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 6, 2012

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 965.

As amended by the committee, this bill would permit a municipality or fire district to appoint a civilian federal firefighter who lost his or her position as the result of a reduction in force or the termination of the firefighter's position at a federal military installation, even if the rules of Civil Service (Title 11A) are operative in that municipality. Under current law, a municipality may hire a civilian federal firefighter, without utilizing any civil service lists, only if the military installation has been closed. This bill would extend this hiring preference to firefighters who are unemployed as a result of a reduction in force or elimination of the firefighter's position.

Current law requires the Civil Service Commission to prepare and circulate to municipalities and fire districts a list of the civilian federal firefighters eligible for appointment to a local fire department.

As introduced, the bill would require the commission to consult with the professional organizations which represent the civilian fire fighters when preparing the list. The committee amended the bill to remove this requirement.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 965

STATE OF NEW JERSEY

DATED: JUNE 18, 2012

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 965 (1R).

Senate Bill No. 965 (1R) permits a municipality or fire district to appoint a civilian federal firefighter who lost his or her position as the result of a reduction in force or the termination of the firefighter's position at a federal military installation, even if the rules of Civil Service (Title 11A) are operative in that municipality.

Under current law, a municipality may hire a civilian federal firefighter, without utilizing any civil service lists, only if the military installation has been closed. This bill would extend this hiring preference to firefighters who are unemployed as a result of a reduction in force or elimination of the firefighter's position.

Current law requires the Civil Service Commission to prepare and circulate to municipalities and fire districts a list of the civilian federal firefighters eligible for appointment to a local fire department.

As reported by the committee, this bill is identical to Assembly Bill No. 2375, as amended and reported by the committee on this same date.

ASSEMBLY, No. 2375

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 6, 2012

Sponsored by:
Assemblyman GORDON M. JOHNSON
District 37 (Bergen)

SYNOPSIS

Extends hiring preference for certain civilian federal firefighters.

CURRENT VERSION OF TEXT

As introduced.



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2 P.L.1996, c.140.

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33 employ such a person if a special reemployment list is in existence
34 for the firefighter title to be filled.

35 c. If a municipality determines to appoint a person pursuant to
36 the provisions of this act, it shall give first priority in making such
37 appointments to residents of the municipality and second priority to
38 residents of the county not residing in the municipality.

39 d. The seniority, seniority-related privileges and rank a civilian
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ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2375

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 18, 2012

The Assembly Law and Public Safety Committee reports favorably and with committee amendments Assembly Bill No. 2375.

As amended and reported by the committee, Assembly Bill No. 2375 permits a municipality or fire district to appoint a civilian federal firefighter who lost his position as the result of a reduction in force or the termination of their position at a federal military installation, even if the municipality has adopted the Civil Service rules.

Under current law, a municipality may only hire a civilian federal firefighter, while ignoring Civil Service rules, if the military installation has been closed. This bill would extend this hiring preference to firefighters who are unemployed as a result of a reduction in force or elimination of the firefighter's position.

Current law requires the Civil Service Commission to prepare and circulate to municipalities and fire districts a list of the civilian federal firefighters eligible for appointment to a local fire department. As introduced, the bill required the commission to consult with the professional organizations which represent the civilian fire fighters when preparing the list. The committee amended the bill to remove this requirement.

As amended and reported by the committee, this bill is identical to Senate Bill No. 965 (1R), also reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to remove the requirement that the Civil Service Commission consult with professional organizations representing civilian firefighters when compiling the list of those firefighters who are eligible for appointment.