

ASSEMBLY, No. 517

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman FRANCIS L. BODINE

District 8 (Atlantic, Burlington and Camden)

SYNOPSIS

Updates law governing New Jersey Firemen's Home.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



A517 BODINE

2

1 AN ACT concerning the New Jersey Firemen's Home and amending
2 chapter 7 of Title 30 of the Revised Statutes and repealing
3 R.S.30:7-5.

4

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

7

8 1. R.S.30:7-1 is amended to read as follows:

9 30:7-1. The board of managers of the New Jersey Firemen's Home
10 [is hereby constituted an agency within the State Department of
11 Institutions and Agencies and], notwithstanding the provisions of any
12 other law to the contrary, shall consist of the president of the New
13 Jersey State Firemen's Association, the Governor of the State, the
14 State Commissioner of Banking and Insurance and the State
15 Comptroller [and], one member elected from each county of the State
16 and one additional member who shall be a fully paid fireman, elected
17 from each of the counties of Essex and Hudson. The president of
18 [such] the firemen's association, the Governor, the Commissioner of
19 Banking and Insurance and the State Comptroller, respectively, for the
20 time being, shall be ex-officio members of the board of managers.

21 The elected members shall be elected by the New Jersey State
22 Firemen's Association in annual convention assembled. They shall
23 hold office for a term of four years from the first day of October next
24 succeeding their election and until their successors are elected and
25 qualify.

26 A vacancy occurring among the elected members other than by
27 expiration of a term shall be filled as follows: The president of the
28 New Jersey State Firemen's Association shall appoint from the county
29 in which the vacancy occurred a successor to serve until the first day
30 of October next succeeding the appointment and at the next annual
31 meeting of the association there shall be elected from the county in
32 which the vacancy occurred a member to serve for the balance of the
33 unexpired term.

34 The members shall receive no compensation for their service but
35 may be reimbursed their actual expenses in connection with their
36 duties as managers from the funds of the home.

37 (cf: P.L.1948, c.87, s.4)

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39 2. R.S.30:7-3 is amended to read as follows:

40 30:7-3. The board of managers of the New Jersey [firemen's
41 home]Firemen's Home shall designate a chairman, a secretary and
42 treasurer and, subject to the [governor's]Governor's approval, appoint

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.

A517 BODINE

1 a superintendent and such other officers, assistants and attendants as
2 may be necessary and proper.

3 The treasurer shall enter into bond to the board of managers for the
4 faithful performance of the duties of his office in such sum and with
5 such sureties as the board shall require and approve.

6 The superintendent and other officers may be required to give bond
7 in such sum and with such sureties for the faithful performance of their
8 respective duties as the board shall require and approve.

9 [Failure of the treasurer or other officer to give the required bond
10 shall vacate his office.]

11 (cf: R.S.30:7-3)

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13 3. R.S.30:7-4 is amended to read as follows:

14 30:7-4. The superintendent shall be the chief executive officer of
15 the New Jersey [firemen's home] Firemen's Home and shall have the
16 general management and care of the buildings, grounds, furniture,
17 fixtures and stock, and the government, direction, care and treatment
18 of [inmates] guests and patients and of the officers, assistants and
19 attendants, subject to the general control of the board of managers and
20 in pursuance of the by-laws, rules and regulations established by the
21 board and he shall keep a correct and proper [diary and] record of all
22 his official acts and transactions.

23 (cf: R.S.30:7-4)

24

25 4. R.S.30:7-6 is amended to read as follows:

26 30:7-6. The board of managers shall establish the terms and
27 conditions upon which an aged, [indigent or] needy or disabled
28 fireman [of this state] may be admitted into the home and [his] the
29 period of continuance therein.

30 (cf: R.S.30:7-6)

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32 5. R.S.30:7-7 is amended to read as follows:

33 30:7-7. No person shall be admitted into the New Jersey [firemen's
34 home] Firemen's Home as a patient or [inmate] guest unless he is or
35 has been an active fireman of this [state] State and [be] is aged [,]
36 or [indigent and necessitous] needy and unable to procure the means
37 sufficient for his comfortable support and necessary care and
38 attendance [and be at the time of application for admission a bona fide
39 resident of the state]; or unless he has been permanently or
40 temporarily disabled in the discharge of [his] the duties as a fireman
41 of this [state] State; or unless from sickness or other disability
42 contracted in such service or in consequence thereof he is
43 [necessitous] needy and unable to secure the necessary means for his
44 treatment, cure, comfortable support and proper care and attendance.

45 (cf: R.S.30:7-7)

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1 6. R.S.30:7-8 is amended to read as follows:

2 30:7-8. A person admitted to the New Jersey [firemen's home]
3 Firemen's Home shall be entitled to all its benefits and shall be
4 furnished with clothing, subsistence, medical and surgical attendance
5 and whatever may be suitable and necessary to promote his health or
6 recovery and contribute to his comfort in accordance with the rules
7 and regulations of the home. [Any] An applicant for admission may
8 be rejected and [any inmate] a guest or patient may be removed by
9 resolution of the board of managers for want of the proper
10 qualifications, to become or remain [such inmate] a guest or patient,
11 or on being restored to health, or on becoming of sufficient ability to
12 promote and provide for his own support or for neglect to comply
13 with the rules and regulations of the home or for [gross immorality
14 or insubordination] conduct adverse to the operation of the home.
15 (cf: R.S.30:7-8)

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17 7. R.S.30:7-9 is amended to read as follows:

18 30:7-9. One of the managers shall visit the New Jersey [firemen's
19 home] Firemen's Home at least once in every two weeks. The board
20 shall visit the home at least once in every three months. Each manager
21 shall at all times have access to every part of the home, to every
22 patient and [inmate] guest, and to all books, records, accounts,
23 vouchers and papers pertaining to the home, and the free and full
24 inspection thereof.

25 The managers shall keep a book of minutes of their proceedings and
26 a book in which shall be entered the date of each visit, the condition
27 of the patients and [inmates] guests and remarks upon the condition
28 and management of the home to be signed by each of the managers
29 present.

30 (cf: R.S.30:7-9)

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32 8. R.S.30:7-10 is amended to read as follows:

33 30:7-10. The board of managers shall annually on or before the
34 first day of January in each year report to the [governor] Governor an
35 estimate of the cost and expense of managing and conducting the New
36 Jersey [firemen's home] Firemen's Home for the succeeding year; also
37 a detailed statement of moneys received, whence received and how
38 disbursed or expended; also all gifts of supplies, materials or other
39 things received, from whom received and how the same were used or
40 appropriated; also the number of [inmates] guests or patients for the
41 preceding year, the average expense of patients and [inmates] guests,
42 and the number deceased or discharged; and generally all matters and
43 things relating to the government, management, conduct and control
44 of the home.

45 (cf: R.S.30:7-10)

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1 9. R.S.30:7-11 is amended to read as follows:

2 30:7-11. To provide the means necessary to govern, manage,
3 conduct and sustain the New Jersey ~~firemen's home~~ Firemen's
4 Home, the managers may receive bequests or devises for the use and
5 benefit of the home, and the same invest, sell, convey, use or
6 otherwise apply for the benefit of the home as the managers, subject
7 to the approval of the ~~governor~~ Governor, may deem proper. The
8 managers may also receive voluntary contributions of money, food,
9 material or merchandise for the home.

10 (cf: R.S.30:7-11)

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12 10. R.S.30:7-12 is amended to read as follows:

13 30:7-12. The property, real and personal, of the board of managers
14 of the New Jersey ~~firemen's home~~ Firemen's Home and held or used
15 for the uses and purposes of the firemen's home shall be exempt from
16 taxation, ~~state~~ State or municipal under any law of the ~~state~~ State.

17 (cf: R.S.30:7-12)

18

19 11. R.S.30:7-5 is repealed.

20

21 12. This act shall take effect immediately.

22

23

24

STATEMENT

25

26 This bill amends the law governing the New Jersey Firemen's Home,
27 N.J.S.A.30:7-1 et seq., by updating some of the language used in the
28 law. For example, the bill replaces the word "inmate" with the word
29 "guest" and the word "necessitous" with the word "needy." The bill
30 also removes the requirement that the applicant to the New Jersey
31 Firemen's Home be a resident of the State at the time of admission,
32 because many firemen retire out of the State.

33 In addition, the bill repeals N.J.S.A.30:7-5 because the accounting
34 duties of the superintendent are now handled by the treasurer of the
35 New Jersey Firemen's Home pursuant to N.J.S.A.30:7-3.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 517

STATE OF NEW JERSEY

DATED: MARCH 2, 2000

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 517.

Assembly Bill No. 517 updates certain references in R.S.30:7-1 et seq., the law governing the New Jersey Firemen's Home. Specifically, the bill changes references to firemen who have been admitted to the home from "inmates" to "guests" and descriptions of applicants as "indigent" or "necessitous" to "needy."

The bill also removes the requirement that former State firemen who apply for admission to the New Jersey Firemen's Home because they are aged or indigent and necessitous and unable to support themselves be residents of the State when they apply, since many have retired outside the State.

In addition, the bill repeals R.S.30:7-5, which requires the Superintendent of the New Jersey Firemen's Home to be an accountant. Accounting duties are currently performed by the home's treasurer pursuant to R.S.30:7-3.

The bill also makes technical corrections.

This bill was pre-filed for introduction in the 2000 legislative session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 517.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 517

STATE OF NEW JERSEY

DATED: JUNE 19, 2000

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 517.

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21 12. This act shall take effect immediately.

P.L. 2000, CHAPTER 149, *approved November 9, 2000*
Assembly, No. 517

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7 conduct and sustain the New Jersey **[firemen's home]** Firemen's
8 Home, the managers may receive bequests or devises for the use and
9 benefit of the home, and the same invest, sell, convey, use or
10 otherwise apply for the benefit of the home as the managers, subject
11 to the approval of the **[governor]**Governor, may deem proper. The
12 managers may also receive voluntary contributions of money, food,
13 material or merchandise for the home.

14 (cf: R.S.30:7-11)

15

16 10. R.S.30:7-12 is amended to read as follows:

17 30:7-12. The property, real and personal, of the board of managers
18 of the New Jersey **[firemen's home]**Firemen's Home and held or used
19 for the uses and purposes of the firemen's home shall be exempt from
20 taxation, **[state]**State or municipal under any law of the **[state]**State.

21 (cf: R.S.30:7-12)

22

23 11. R.S.30:7-5 is hereby repealed.

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25 12. This act shall take effect immediately.

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30 Updates law governing New Jersey Firemen's Home.

CHAPTER 149

AN ACT concerning the New Jersey Firemen's Home and amending chapter 7 of Title 30 of the Revised Statutes and repealing R.S.30:7-5.

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

1. R.S.30:7-1 is amended to read as follows:

Board of Managers of New Jersey Firemen's Home.

30:7-1. The board of managers of the New Jersey Firemen's Home, notwithstanding the provisions of any other law to the contrary, shall consist of the president of the New Jersey State Firemen's Association, the Governor of the State, the State Commissioner of Banking and Insurance and the State Comptroller, one member elected from each county of the State and one additional member who shall be a fully paid fireman, elected from each of the counties of Essex and Hudson. The president of the firemen's association, the Governor, the Commissioner of Banking and Insurance and the State Comptroller, respectively, for the time being, shall be ex-officio members of the board of managers.

The elected members shall be elected by the New Jersey State Firemen's Association in annual convention assembled. They shall hold office for a term of four years from the first day of October next succeeding their election and until their successors are elected and qualify.

A vacancy occurring among the elected members other than by expiration of a term shall be filled as follows: The president of the New Jersey State Firemen's Association shall appoint from the county in which the vacancy occurred a successor to serve until the first day of October next succeeding the appointment and at the next annual meeting of the association there shall be elected from the county in which the vacancy occurred a member to serve for the balance of the unexpired term.

The members shall receive no compensation for their service but may be reimbursed their actual expenses in connection with their duties as managers from the funds of the home.

2. R.S.30:7-3 is amended to read as follows:

Designation, appointment of officers.

30:7-3. The board of managers of the New Jersey Firemen's Home shall designate a chairman, a secretary and treasurer and, subject to the Governor's approval, appoint a superintendent and such other officers, assistants and attendants as may be necessary and proper.

The treasurer shall enter into bond to the board of managers for the faithful performance of the duties of his office in such sum and with such sureties as the board shall require and approve.

The superintendent and other officers may be required to give bond in such sum and with such sureties for the faithful performance of their respective duties as the board shall require and approve.

3. R.S.30:7-4 is amended to read as follows:

Power, duties of superintendent.

30:7-4. The superintendent shall be the chief executive officer of the New Jersey Firemen's Home and shall have the general management and care of the buildings, grounds, furniture, fixtures and stock, and the government, direction, care and treatment of guests and patients and of the officers, assistants and attendants, subject to the general control of the board of managers and in pursuance of the by-laws, rules and regulations established by the board and he shall keep a correct and proper record of all his official acts and transactions.

4. R.S.30:7-6 is amended to read as follows:

Admittance to home; terms, conditions.

30:7-6. The board of managers shall establish the terms and conditions upon which an aged, needy or disabled fireman may be admitted into the home and the period of continuance therein.

5. R.S.30:7-7 is amended to read as follows:

Persons entitled to admittance.

30:7-7. No person shall be admitted into the New Jersey Firemen's Home as a patient or guest unless he is or has been an active fireman of this State and is aged or needy and unable to procure the means sufficient for his comfortable support and necessary care and attendance; or unless he has been permanently or temporarily disabled in the discharge of the duties as a fireman of this State; or unless from sickness or other disability contracted in such service or in consequence thereof he is needy and unable to secure the necessary means for his treatment, cure, comfortable support and proper care and attendance.

6. R.S.30:7-8 is amended to read as follows:

Benefits, application rejections, guest removal.

30:7-8. A person admitted to the New Jersey Firemen's Home shall be entitled to all its benefits and shall be furnished with clothing, subsistence, medical and surgical attendance and whatever may be suitable and necessary to promote his health or recovery and contribute to his comfort in accordance with the rules and regulations of the home. An applicant for admission may be rejected and a guest or patient may be removed by resolution of the board of managers for want of the proper qualifications, to become or remain a guest or patient, or on being restored to health, or on becoming of sufficient ability to promote and provide for his own support or for neglect to comply with the rules and regulations of the home or for conduct adverse to the operation of the home.

7. R.S.30:7-9 is amended to read as follows:

Visits, inspections.

30:7-9. One of the managers shall visit the New Jersey Firemen's Home at least once in every two weeks. The board shall visit the home at least once in every three months. Each manager shall at all times have access to every part of the home, to every patient and guest, and to all books, records, accounts, vouchers and papers pertaining to the home, and the free and full inspection thereof.

The managers shall keep a book of minutes of their proceedings and a book in which shall be entered the date of each visit, the condition of the patients and guests and remarks upon the condition and management of the home to be signed by each of the managers present.

8. R.S.30:7-10 is amended to read as follows:

Annual report to Governor.

30:7-10. The board of managers shall annually on or before the first day of January in each year report to the Governor an estimate of the cost and expense of managing and conducting the New Jersey Firemen's Home for the succeeding year; also a detailed statement of moneys received, whence received and how disbursed or expended; also all gifts of supplies, materials or other things received, from whom received and how the same were used or appropriated; also the number of guests or patients for the preceding year, the average expense of patients and guests, and the number deceased or discharged; and generally all matters and things relating to the government, management, conduct and control of the home.

9. R.S.30:7-11 is amended to read as follows:

Maintenance of, gifts to home.

30:7-11. To provide the means necessary to govern, manage, conduct and sustain the New Jersey Firemen's Home, the managers may receive bequests or devises for the use and benefit of the home, and the same invest, sell, convey, use or otherwise apply for the benefit of the home as the managers, subject to the approval of the Governor, may deem proper. The managers may also receive voluntary contributions of money, food, material or merchandise for the home.

10. R.S.30:7-12 is amended to read as follows:

Property of home tax exempt.

30:7-12. The property, real and personal, of the board of managers of the New Jersey Firemen's Home and held or used for the uses and purposes of the firemen's home shall be exempt from taxation, State or municipal under any law of the State.

Repealer.

11. R.S.30:7-5 is hereby repealed.

12. This act shall take effect immediately.

Approved November 9, 2000.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Jayne O'Connor
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RELEASE: November 9, 2000

Governor today signed the following legislation:

A-1162, sponsored by Assemblyman Arnone (R-Monmouth) and Senator Ciesla (R-Monmouth/Ocean), exempts private marinas from the requirement to have first aid and lifeguard personnel on duty.

A-343, sponsored by Assembly Members Barnes (D-Middlesex) and Buono (D-Middlesex) and Senators Inverso (R-Mercer/Middlesex) and Bark (R-Atlantic/Burlington/Camden), allows ratepayers to designate third parties to receive public utility service termination notices.

A-517, sponsored by Assemblyman Bodine (R-Atlantic/Burlington/Camden), updates the law governing the New Jersey Firemen's Home.

A-853, sponsored by Assembly Members Bagger (R-Middlesex/Morris/Somerset/Union) and Augustine (R-Middlesex/Morris/Somerset/Union), authorizes appointment of four alternates to combined planning and zoning boards.

S-838, sponsored by Senators Martin (R-Essex/Morris/Passaic) and Allen (R-Burlington/Camden) and Assembly Members Buono (D-Middlesex) and Barnes (D-Middlesex), establishes a minimum period of school district eligibility for early childhood and demonstrably effective program aids and provides a budget cap exclusion for such aids. The bill incorporates recommendations made by the Governor in a conditional veto.

S-676, sponsored by Senators Robertson (R-Essex/Passaic) and Connors (R-Atlantic/Burlington/Ocean) and Assembly Members Myers (R-Warren/Hunterdon/Mercer), extends the civil service veterans' preference to certain persons who served in Operation Uphold Democracy in Haiti. The bill incorporates recommendations made by the Governor in a conditional veto.