

40A: 14-34

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A: 14-34 & 40:5-2

(Volunteer fire companies  
equipment-joint purchase)

LAWS OF: 1985

CHAPTER: 19

Bill No: S1105

Sponsor(s): Connors and others

Date Introduced: January 30, 1984

Committee: Assembly: Municipal Government

Senate: County and Municipal Government

Amended during passage: Yes

Date of Passage: Assembly: Dec. 13, 1984

Senate: May 21, 1984

Date of Approval: January 25, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

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[OFFICIAL COPY REPRINT]  
SENATE, No. 1105

STATE OF NEW JERSEY

INTRODUCED JANUARY 30, 1984

By Senators CONNORS, BUBBA, VAN WAGNER, LYNCH,  
RUSSO and SAXTON

Referred to Committee on County and Municipal Government

AN ACT concerning county and municipal support of volunteer fire companies and first aid, emergency, volunteer ambulance or rescue squad associations and amending N. J. S. 40A:14-34 and R. S. 40:5-2.

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

1 1. N. J. S. 40A:14-34 is amended to read as follows:  
2 40A:14-34. The governing body of any municipality may raise  
3 and appropriate funds to be granted to the boards of fire commis-  
4 sioners of any fire district or volunteer fire companies located  
5 therein, up to a total appropriation of \$45,000.00 annually. In any  
6 municipality in which there are more than three such boards or  
7 companies, or both, the governing body may raise and appropriate  
8 an additional \$15,000.00 annually for each such additional board  
9 or company. Any such board or company shall use not less than  
10 50% of the funds received pursuant to this section for the pur-  
11 chase of fire equipment, materials and supplies. All funds appro-  
12 priated under this section shall be accounted for to the governing  
13 body annually.

14 Any municipality may appropriate such additional sums as it  
15 may deem necessary for the purchase of fire equipment, supplies  
16 and materials for use by fire companies or boards, the title to which  
17 shall remain with the municipality, provided that the funds shall  
18 be controlled and disbursed by the municipality. *In the case of a joint*  
19 *purchase made by the governing bodies of two or more municipi-*

**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 printed in italics thus is new matter.**

**Matter enclosed in asterisks or stars has been adopted as follows:**

**\*—Senate committee amendment adopted February 27, 1984.**

20 *policies pursuant to the provisions of the "Consolidated Municipal*  
 21 *Service Act," P. L. 1952, c. 72 (C. 40:48B-1 et seq.), the title to the*  
 22 *purchase shall be held by the joint meeting formed by the contract-*  
 23 *ing governing bodies.*

1 2. R. S. 40:5-2 is amended to read as follows:

2 \***[**40:5-2. Any county or municipality may make a voluntary con-  
 3 tribution of not more than \$25,000.00 annually to any duly incor-  
 4 porated first aid and emergency or volunteer ambulance or rescue  
 5 squad association of the county, or of any municipality therein,  
 6 rendering service generally throughout the county, or any of the  
 7 municipalities thereof. In addition, if any such associations experi-  
 8 ence extraordinary need, the county or municipality may contribute  
 9 an additional amount of not more than \$25,000.00 annually; pro-  
 10 vided, however, that the need for such additional funds is estab-  
 11 lished by the association and is directly related to the performance  
 12 of said association's duties. The chief financial officer of the county  
 13 or municipality shall perform an audit in any year in which any  
 14 contribution is made of each association's financial records for  
 15 the current year and shall certify to the governing body of the  
 16 county or municipality that such records are being maintained in  
 17 accordance with sound accounting principles.

18 *Any county or municipality may purchase emergency, rescue and*  
 19 *first aid equipment, ambulances, emergency and rescue vehicles for*  
 20 *use by any duly incorporated first aid and emergency or volunteer*  
 21 *ambulance or rescue squad association rendering service within the*  
 22 *jurisdiction of the local unit making the purchase. The title to any*  
 23 *purchase made pursuant to this section shall remain with the local*  
 24 *unit. In the case of a joint purchase made by the governing bodies*  
 25 *of two or more local units pursuant to the provisions of the "Con-*  
 26 *solidated Municipal Service Act," P. L. 1952, c. 72 (C. 40:48B-1*  
 27 *et seq.), the title to the purchase shall be held by the joint meeting*  
 28 *formed by the contracting governing bodies.]*\*

29 \*40:5-2. Any county or municipality may make a voluntary con-  
 30 tribution of not more than \$25,000.00 annually to any duly incor-  
 31 porated first aid and emergency or volunteer ambulance or rescue  
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41 contribution is made of each association's financial records for  
42 the current year and shall certify to the governing body of the  
43 county or municipality that such records are being maintained in  
44 accordance with sound accounting principles.

45 Any county or municipality may appropriate such additional  
46 sums as it may deem necessary for the purchase of first aid  
47 vehicles, equipment, supplies and materials for use by these asso-  
48 ciations, the title to which shall remain with the county or munici-  
49 pality, provided that the funds are controlled and disbursed by the  
50 county or municipality.

51 *In the case of a joint purchase made by the governing bodies of*  
52 *two or more local units pursuant to the provisions of the "Consoli-*  
53 *dated Municipal Service Act," P. L. 1952, c. 72 (C. 40:48B-1*  
54 *et seq.), the title to the purchase shall be held by the joint meeting*  
55 *formed by the contracting governing bodies.\**

1 3. This act shall take effect immediately.

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 25 *of two or more local units pursuant to the provisions of the "Con-*  
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#### STATEMENT

The purpose of this bill is to amend two sections of law governing county and municipal support for volunteer fire companies and volunteer first aid, emergency, rescue and ambulance squads in order to permit the joint purchase of equipment, supplies, materials and vehicles under the provisions of the "Consolidated Municipal Service Act," P. L. 1952, c. 72 (C. 40:48B-1 et seq.).

At present, there are two stumbling blocks facing local units

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which wish to enter into those kinds of joint purchasing agreements. The first concerns the general authority local units have to make those kinds of purchases. Under the provisions of the "Consolidated Municipal Service Act," local units may enter into joint arrangements for any services or undertakings which an individual unit is legally authorized to provide for itself. Municipalities are statutorily permitted to purchase equipment, supplies and materials to be used by volunteer fire companies, but not for volunteer first aid, emergency, rescue and ambulance squads. By amending the provisions of R. S. 40:5-2 to permit local units to purchase emergency, rescue and first aid equipment, ambulances and vehicles, this bill would enable counties and municipalities to enter into joint agreements for those kinds of purchases under the provisions of the "Consolidated Municipal Service Act."

The second concerns the title of the purchase, specifically who is to hold the title. Under the provisions of this amendatory bill, the title to the purchase is to be held by the joint meeting formed by the contracting governing bodies.

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SENATE COUNTY AND MUNICIPAL GOVERNMENT  
COMMITTEE

STATEMENT TO

**SENATE, No. 1105**

with Senate committee amendment

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**STATE OF NEW JERSEY**

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DATED: FEBRUARY 27, 1984

Senate Bill No. 1105 would amend R. S. 40:5-2 and N. J. S. 40A:14-34 to facilitate joint purchasing agreements by local governments for the purchase of vehicles, equipment, supplies and materials for volunteer fire companies and volunteer first aid, emergency, rescue and ambulance squads.

The committee amendments reflect a recent amendment made to R. S. 40:5-2 by P. L. 1983, c. 544, which supplied the missing statutory authorization for municipal purchases of first aid vehicles, equipment, supplies and material for use by the latter type of volunteer group.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 1105**

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**STATE OF NEW JERSEY**

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DATED: OCTOBER 22, 1984

Senate Bill No. 1105 OCR would amend R. S. 40:5-2 and N. J. S. 40A:14-34 to facilitate joint purchasing agreements by local governments for the purchase of vehicles, equipment, supplies and materials for volunteer fire companies and volunteer first aid, emergency, rescue and ambulance squads.

The committee reported the bill favorably.