

40A:14-56

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A:14-56

(Firemen-injured in the line of duty -
eligibility for exempt firemens'
certificate)

LAWS OF: 1983

CHAPTER: 413

Bill No: A3015

Sponsor(s): Girgenti

Date Introduced: January 11, 1983

Committee:

Assembly: Municipal Government

Senate: County and Municipal Government

Amended during passage:

NO

Date of Passage:

Assembly: March 14, 1983

Senate: December 15, 1983

Date of Approval: January 4, 1983

Following statements are attached if available:

Sponsor statement:

YES

Committee statement:

Assembly

YES

Senate

NO

Fiscal Note:

NO

Veto Message:

NO

Message on Signing:

YES

Following were printed:

Reports:

NO

Hearings:

NO

ASSEMBLY, No. 3015

STATE OF NEW JERSEY

INTRODUCED JANUARY 11, 1983

By Assemblyman GIRGENTI

AN Act concerning the eligibility of certain firemen for exempt fireman certificates and amending N. J. S. 40A:14-56.

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

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

2 40A:14-56. Any member of the fire department and force of a
3 municipality shall be entitled to an exempt fireman certificate when
4 it appears that at the time of his appointment he was a resident of
5 the municipality, a citizen of the United States, of good moral
6 character and was not under 18 or over 40 years of age and
7 that he had performed during a period of seven years, 60% of fire
8 duty, in each year, respectively. *Any member who otherwise would*
9 *be eligible for an exempt fireman certificate, but who, as the result*
10 *of an injury or injuries incurred out of or in the course of fire duty,*
11 *is permanently unable to fulfill the seven year performance require-*
12 *ment set forth in this section, shall be entitled to an exempt fireman*
13 *certificate if, at the time he incurred the injury or injuries, the*
14 *member had performed during a period of five years, 60% of fire*
15 *duty, in each year, respectively. In cases where the appointment*
16 *was made during the war years the age limit shall be extended*
17 *10 years. Service in the United States Armed Forces during said*
18 *war years shall be considered as fire duty service.*

19 Service in more than one municipal fire department, for sepa-
20 rate periods not concurrent, amounting in the aggregate to seven
21 years, shall be deemed equivalent to seven years service in a single
22 municipal fire department and any fireman so serving shall be

Matter printed in italics thus is new matter.

23 entitled to an exempt fireman certificate from the department and
24 force in the municipality wherein he is serving at the time when he
25 becomes entitled to said certificate. The prior service shall be
26 certified by the chief executive officer of the municipality or municipi-
27 palities wherein said member served and attested by the municipal
28 clerk or clerks.

1 2. This act shall take effect immediately and shall be retroactive
2 to January 1, 1981.

STATEMENT

The purpose of this bill is to make certain firemen who are injured in the line of duty eligible for exempt fireman certificates.

Under current law, a fireman must serve at least seven years and in each of those years actively participate in at least 60% of his department's fire calls and duties in order to be eligible for an exempt fireman certificate.

The provisions of this bill provide that any fireman who is injured in the line of duty to the extent that he is no longer able to perform his duties as a fireman would be entitled to an exempt fireman certificate if he had completed at least five years of service and in each of those years had participated in at least 60% of his department's fire calls and duties.

The provisions of the bill are retroactive to January 1, 1981.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3015

STATE OF NEW JERSEY

DATED: FEBRUARY 14, 1983

Assembly Bill No. 3015 amends N. J. S. 40A:14-56 in order to provide that any fireman who otherwise would be eligible for an exempt fireman certificate, but who, as the result of an injury or injuries incurred out of or in the course of fire duty, is permanently unable to fulfill the seven year performance requirement, shall be entitled to an exempt fireman certificate if, at the time he incurred the injury or injuries, he had performed during a period of five years, 60% of fire duty, in each year, respectively.

The Committee notes that the provisions of this bill are to be retroactive to January 1, 1981.

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE

CONTACT: PAUL WOLCOTT

THURSDAY, JANUARY 5, 1984

Governor Thomas H. Kean has signed the following bills:

S-1318, sponsored by State Senator John A. Lynch, D-Middlesex, which increases from \$500 to \$1000 the maximum fine a municipality may impose for violation of an ordinance and to clarify that a municipality may impose a minimum penalty not to exceed \$100.

A-449, sponsored by Assemblyman John A. Girgenti, D-Passaic, which makes a person convicted of motor vehicle theft violations liable to the owner of the vehicle for expenses incurred by damage or recovery of the vehicle.

A-1015, sponsored by Assemblyman Byron M. Baer, D-Bergen, which permits the Director of the Division of Civil Rights to impose fines for violations of the State's civil rights statutes. The bill sets maximum penalties of \$2000 for a first offense and \$5000 for second and subsequent offenses.

A-3015, sponsored by Assemblyman Girgenti, which provides that certain firemen who are injured in the line of duty are eligible for exempt fireman status. In order to qualify under the bill, a fireman must have performed 60 percent of fire duty for a period of five consecutive years at the time the injury is incurred. Current law requires seven years of 60 percent duty performance in order to qualify for exempt status.

A-3404, sponsored by Assemblyman D. Bennett Mazur, D-Bergen, which appropriates \$6.3 million from the Public Purpose Building Construction Fund for the construction of a nursing home for disabled veterans in Paramus.