

40A: 14-12.1 to 12.3

LEGISLATIVE HISTORY CHECKLIST

NJSA 40A:14-12.1 to 40A:14-12.3

Laws of 1976 Chapter 27

Bill No. A1440 [A3668 - 1975]

Sponsor(s) Pellecchia

Date Introduced February 9, 1976

Committee: Assembly Municipal Gov't.

Senate -

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks.

Date of passage: Assembly February 19, 1976; Re'enacted May 3, 1976

Senate February 23, 1976; Re'enacted May 17, 1976

Date of approval June 1, 1976

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

Checked card catalog under:

NJ--Firemen

NJ-- Municipal officers and employees

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ASSEMBLY, No. 1440

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 9, 1976

By Assemblyman PELLECCCHIA

Referred to Committee on Municipal Government

AN ACT concerning the qualifications for appointment of certain employees in certain municipal departments of public safety.

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

1 1. Notwithstanding any provision of law, rule or regulation to
2 the contrary, a municipal appointing authority may, ****[with the**
3 **consent of the governing body, and]**** without civil service exami-
4 nation, and irrespective of any age or physical requirements, ap-
5 point to a uniformed firefighting position any person who is a
6 ***[civilian member of]** ****[fire system lineman, senior signal**
7 **system lineman, fire system signal lineman, or fire system special**
8 **lineman in*]**** the fire division of a municipal department of public
9 safety when any such person had been appointed and had perma-
10 nent status as a fire ***[signal system repairman or lineman]***
11 ****[*system lineman, senior signal system lineman, fire system sig-**
12 **nal lineman, or fire system special lineman*]**** ****signal system**
13 **repairmen or lineman**** and has served ***[in that capacity]*** ****in**
14 **that capacity**** for a period of ***[10]*** ***18*** or more years and pro-
15 vided further that such ***[civilian]*** title is being abolished or
16 otherwise discontinued.

1 2. Upon such appointment, such persons shall be entitled to all
2 the rights and benefits of persons who were appointed to uniformed
3 firefighting positions pursuant to presently existing law.

1 3. The board of trustees of the Police and Firemen's Retirement
2 System of New Jersey shall accept as a member of the retirement
3 system any person, otherwise eligible for membership, appointed
4 pursuant to this act provided there is paid into the retirement
5 system, in such manner as the board shall prescribe, the contribu-
6 tion deemed due and payable from the date of original appointment.

1 4. This act shall take effect immediately.

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

ASSEMBLY, No. 1440

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 9, 1976

By Assemblyman PELLECCCHIA

Referred to Committee on Municipal Government

AN ACT concerning the qualifications for appointment of certain employees in certain municipal departments of public safety.

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

1 1. Notwithstanding any provision of law, rule or regulation to
2 the contrary, a municipal appointing authority may, with the con-
3 sent of the governing body, and without civil service examination,
4 and irrespective of any age or physical requirements, appoint to
5 a uniformed firefighting position any person who is a civilian
6 member of the fire division of a municipal department of public
7 safety when any such person had been appointed and had per-
8 manent status as a fire signal system repairman or lineman and
9 has served in that capacity for a period of 10 or more years and
10 provided further that such civilian title is being abolished or other-
11 wise discontinued.

1 2. Upon such appointment, such persons shall be entitled to all
2 the rights and benefits of persons who were appointed to uniformed
3 firefighting positions pursuant to presently existing law.

1 3. The board of trustees of the Police and Firemen's Retirement
2 System of New Jersey shall accept as a member of the retirement
3 system any person, otherwise eligible for membership, appointed
4 pursuant to this act provided there is paid into the retirement
5 system, in such manner as the board shall prescribe, the contribu-
6 tion deemed due and payable from the date of original appointment.

1 4. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to allow a municipal appointing authority to appoint to a uniformed firefighting position certain persons who have been civilian members of the fire division of a municipal department of public safety, where the civilian position which was so held by such persons is being discontinued or abolished.

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STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

May 3, 1976

ASSEMBLY BILL NO. 1440 (OCR)

To the General Assembly:

Pursuant to Article V, Section I, paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 1440 (OCR), with my objections, for reconsideration.

This bill, which represents a response to a problem arising out of a change in form of government in Paterson, would authorize the municipal appointing authority, with the consent of the governing body, to appoint with permanent civil service status to a uniform firefighting position certain linemen and repairmen who have performed in said capacity for a period of eighteen or more years. Because of the length of service of these individuals, certain examination, age, and physical requirements would be waived.

I am convinced that the individuals affected by this bill are deserving of the benefits provided. However, the sponsor has brought to my attention an error which would inadvertently exclude certain deserving individuals from the benefits provided. Moreover, as with State Government, the final selection authority should rest with the appointing authority rather than the governing body.

Accordingly, I herewith return Assembly Bill No. 1440 (OCR) for reconsideration and recommend that it be amended as follows:

Page 1, Section 1, lines 2 & 3: Delete from "with" on line 2 to "and" on line 3.

Page 1, Section 1, line 6: Delete from "fire" on line 6 to "in" on line 7.

Page 1, Section 1, lines 10, 11 and 12: Delete from "system" to "linemen" and insert "signal system repairman or lineman".

Page 1, Section 1, line 12: After "served" insert "in that capacity".

Respectfully,


GOVERNOR

Attest:



EXECUTIVE SECRETARY TO THE GOVERNOR