

3368

2009-2010 Regular Sessions

I N S E N A T E

March 17, 2009

Introduced by Sen. KRUGER -- (at request of the Department of State) --
read twice and ordered printed, and when printed to be committed to
the Committee on Finance

AN ACT to amend the executive law and the general municipal law, in
relation to requiring fire chiefs to annually report fire department
resource inventory, personnel information and specialized capabilities

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 156 of the executive law is amended by adding a new
2 subdivision 20 to read as follows:
3 20. COLLECT AND COMPILE FIRE DEPARTMENT RESOURCE INVENTORY INFORMA-
4 TION.
5 S 2. Section 204-d of the general municipal law, as amended by chapter
6 583 of the laws of 2006, is amended to read as follows:
7 S 204-d. Duties of the fire chief. 1. The fire chief of any fire
8 department or company shall, in addition to any other duties assigned to
9 him OR HER by law or contract, to the extent reasonably possible deter-
10 mine or cause to be determined the cause of each fire or explosion which
11 the fire department or company has been called to suppress. He OR SHE
12 shall file with the office of fire prevention and control of the depart-
13 ment of state a report containing such determination and any additional
14 information required by such office regarding the fire or explosion. The
15 report shall be in the form designated by such office. He OR SHE shall
16 contact or cause to be contacted the appropriate investigatory authority
17 if he OR SHE has reason to believe the fire or explosion is of incendi-
18 ary or suspicious origin. For all fires that are suspected to have been
19 ignited by a cigarette, within fourteen days after completing the inves-
20 tigation into such fire, the fire chief shall forward to the office of
21 fire prevention and control information detailing, to the extent possi-
22 ble: (a) the specific brand and style of the cigarette suspected of
23 having ignited such fire; (b) whether the cigarette package was marked

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD08307-01-9

1 as required by subdivision six of section one hundred fifty-six-c of the
2 executive law; and (c) the location and manner in which such cigarette
3 was purchased.

4 2. HE OR SHE SHALL FURTHER ANNUALLY REPORT TO THE STATE FIRE ADMINIS-
5 TRATOR AN INVENTORY OF FIRE DEPARTMENT RESOURCES, INCLUDING EQUIPMENT,
6 PERSONNEL AND SPECIALIZED CAPABILITIES MAINTAINED BY THE FIRE DEPARTMENT
7 OR COMPANY. SUCH REPORT SHALL CONTAIN INFORMATION IN A MANNER AND FORMAT
8 PRESCRIBED BY THE STATE FIRE ADMINISTRATOR.

9 S 3. Subdivisions 1 and 2 of section 209-e of the general municipal
10 law, as amended by chapter 225 of the laws of 1979, are amended to read
11 as follows:

12 1. Plan. The state fire administrator shall prepare a state fire mobi-
13 lization and mutual aid plan which may provide for the establishment of
14 fire mobilization and mutual aid zones of the state. THE PLAN SHALL
15 INCLUDE AN INVENTORY OF FIRE DEPARTMENT RESOURCES, INCLUDING EQUIPMENT,
16 PERSONNEL AND SPECIALIZED CAPABILITIES. Upon filing of the plan in the
17 office of the department of state such plan shall become the state fire
18 mobilization and mutual aid plan. Such plan may be amended from time to
19 time in the same manner as originally adopted.

20 2. Regional fire administrators. The state fire administrator may
21 appoint and remove a regional fire administrator for each fire mobiliza-
22 tion and mutual aid zone established pursuant to the state fire mobili-
23 zation and mutual aid plan. REGIONAL FIRE ADMINISTRATORS, IN ADDITION TO
24 ANY OTHER DUTIES ASSIGNED TO HIM OR HER PURSUANT TO SUBDIVISION THREE OF
25 THIS SECTION, SHALL REVIEW FOR COMPLETENESS, FIRE DEPARTMENT RESOURCE
26 INVENTORY REPORTS SUBMITTED PURSUANT TO SUBDIVISION TWO OF SECTION TWO
27 HUNDRED FOUR-D OF THIS ARTICLE FOR THE FIRE MOBILIZATION AND MUTUAL AID
28 ZONE FOR WHICH THEY HAVE BEEN APPOINTED. Before he OR SHE enters on the
29 duties of the office, each regional fire administrator shall take and
30 subscribe before an officer authorized by law to administer oaths the
31 constitutional oath of office, which shall be administered and certified
32 by the officer taking the same without compensation and shall be filed
33 in the office of the department of state.

34 S 4. This act shall take effect immediately.