

1026

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DelMONTE, SCHIMMINGER, ROBINSON, GABRYSZAK, GUNTHER, BALL -- Multi-Sponsored by -- M. of A. EDDINGTON, HOOPER, KOON, MAGNARELLI, McENENY, PHEFFER, SWEENEY, WEISENBERG -- read once and referred to the Committee on Tourism, Arts and Sports Development

AN ACT to amend the arts and cultural affairs law, in relation to authorizing volunteer fire and ambulance companies to receive grants for local government records management improvement

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

1 Section 1. The legislature finds that volunteer fire and ambulance
2 companies perform a vital function for the municipalities which they
3 serve, one that is essential to the health, safety, and welfare of all
4 persons within such municipalities. Such functions are therefore a
5 public purpose. Thus, the public records of volunteer fire and ambulance
6 companies are a matter of great importance and concern to the state and
7 are necessary to the administration of the municipalities which they
8 serve. These public records document the legal responsibilities of the
9 volunteer fire and ambulance companies and the reciprocal rights and
10 liabilities of the municipalities which they serve. These essential
11 public records provide citizens and other public officials with a means
12 of monitoring the entitlements and obligation of municipalities and the
13 expenditure of public funds. In addition, such records also reflect the
14 historical development of the communities served by such volunteer fire
15 and ambulance companies.
16 Such records are necessary to municipalities in connection with
17 service award programs for volunteer firefighters and volunteer ambu-
18 lance workers pursuant to articles 11-A, 11-AA, 11-AAA, and 11-AAAA,
19 respectively, of the general municipal law. These records are equally
20 necessary in connection with municipalities' obligations pertaining to
21 volunteer firefighters under article 10 of the general municipal law.

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

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1 S 2. Subdivisions 1 and 3 of section 57.17 of the arts and cultural
2 affairs law, as added by chapter 737 of the laws of 1987, are amended to
3 read as follows:

4 1. "Local government" means any county, city, town, village, school
5 district, board of cooperative educational services, district corpo-
6 ration, public benefit corporation, public corporation, FIRE COMPANY AS
7 DEFINED IN SECTION THREE OF THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW,
8 AMBULANCE COMPANY AS DEFINED IN SECTION THREE OF THE VOLUNTEER AMBULANCE
9 WORKERS' BENEFIT LAW, or other government created under state law that
10 is not a state department, division, board, bureau, commission or other
11 agency, heretofore or hereafter established by law.

12 3. "Local officer" shall mean and include a local officer as defined
13 in section two of the public officers law and any officer of a public
14 benefit corporation, FIRE COMPANY AS DEFINED IN SECTION THREE OF THE
15 VOLUNTEER FIREFIGHTERS' BENEFIT LAW, OR AMBULANCE COMPANY AS DEFINED IN
16 SECTION THREE OF THE VOLUNTEER AMBULANCE WORKERS' BENEFIT LAW.

17 S 3. The commissioner of education is hereby authorized and directed
18 to promulgate any rules or regulations necessary to effectuate the
19 provisions of this act.

20 S 4. This act shall take effect immediately.