

2603

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. PRETLOW, BRODSKY, DIAZ -- read once and referred to the Committee on Cities

AN ACT to amend the general municipal law, in relation to establishing a hazardous materials emergency response unit demonstration project within the county of Westchester and making an appropriation therefor

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

1 Section 1. The general municipal law is amended by adding a new
2 section 209-ff to read as follows:
3 S 209-FF. WESTCHESTER COUNTY HAZARDOUS MATERIALS EMERGENCY RESPONSE
4 UNIT DEMONSTRATION PROJECT. 1. THERE IS HEREBY ESTABLISHED WITHIN THE
5 COUNTY OF WESTCHESTER, A HAZARDOUS MATERIALS EMERGENCY RESPONSE UNIT
6 DEMONSTRATION PROJECT. SUCH PROJECT SHALL BE ADMINISTERED UNDER THE
7 DIRECTION OF THE CITY OF YONKERS FIRE DEPARTMENT IN COOPERATION WITH
8 SUCH OTHER FIRE DEPARTMENTS AS NECESSARY TO INSURE PROPER COVERAGE AND
9 ADMINISTRATION OF SUCH DEMONSTRATION PROJECT.
10 2. THE CITY OF YONKERS FIRE DEPARTMENT SHALL BE RESPONSIBLE FOR THE
11 PROMULGATION AND IMPLEMENTATION OF A PLAN FOR THE ADMINISTRATION OF SUCH
12 DEMONSTRATION PROJECT. SUCH PLAN SHALL INCLUDE, BUT SHALL NOT BE LIMITED
13 TO: THE FORMATION OF AN ANCHOR EMERGENCY RESPONSE UNIT WITHIN THE CITY
14 OF YONKERS TO SERVICE LOWER WESTCHESTER COUNTY AND ACT AS A MODEL UPON
15 WHICH SIMILAR UNITS SHALL BE BASED, A SYSTEM FOR THE SELECTION OF EMER-
16 GENCY RESPONSE PERSONNEL, A SCHEDULE TO INSURE TWENTY-FOUR HOUR STAFFING
17 OF EMERGENCY RESPONSE UNIT BASES, THE PROVISION OF SPECIAL APPARATUS AND
18 EQUIPMENT NECESSARY TO PROTECT BOTH EMERGENCY RESPONSE PERSONNEL AND THE
19 PUBLIC FROM THE UNIQUE DANGER POSED BY HAZARDOUS MATERIAL INCIDENTS AND
20 A SYSTEM FOR THE COLLECTION AND REVIEW OF DATA RELATIVE TO THE HAZARDOUS
21 MATERIAL EMERGENCY RESPONSE UNIT AND THE DISTRIBUTION OF SUCH DATA TO
22 OTHER COOPERATING DEPARTMENTS WITHIN WESTCHESTER COUNTY AND THE STATE OF
23 NEW YORK.

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

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1 3. THE COMMISSIONER OF THE CITY OF YONKERS SHALL, ANNUALLY, REPORT TO
2 THE GOVERNOR AND THE LEGISLATURE WITH RESPECT TO THE ACTIVITY OF THE
3 DEMONSTRATION PROJECT AND, TOGETHER WITH SUCH REPORT, MAKE RECOMMENDA-
4 TIONS AS TO FUTURE NECESSARY LEGISLATION AS MAY BE APPROPRIATE FOR ITS
5 CONTINUANCE.

6 S 2. (a) The sum of one million four hundred ninety-eight thousand six
7 hundred twenty-three dollars (\$1,498,623), or so much thereof as may be
8 necessary, is hereby appropriated out of any moneys in the state treas-
9 ury in the general fund to the credit of the state purposes account, for
10 the purpose of carrying out the provisions of this act in accordance
11 with the provisions of subdivision (b) of this section. Such moneys
12 shall be payable out of the state treasury after audit by and on the
13 warrant of the comptroller upon vouchers certified or approved by the
14 commissioner of the city of Yonkers fire department, as prescribed by
15 law.

16 (b) The appropriation effected by the provisions of this act shall be
17 specifically designated for use as follows: (i) three hundred thousand
18 dollars (\$300,000) for start up costs of the subject project and (ii)
19 one million one hundred ninety-eight thousand six hundred twenty-three
20 dollars (\$1,198,623) for manpower expenses of the subject project.

21 S 3. This act shall take effect on the first of September next
22 succeeding the date on which it shall have become a law.