S T A T E O F N E W Y O R K

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:

Section 1. The general municipal law is amended by adding a new section 209-ff to read as follows:

S 209-FF. WESTCHESTER COUNTY HAZARDOUS MATERIALS EMERGENCY RESPONSE UNIT DEMONSTRATION PROJECT. 1. THERE IS HEREBY ESTABLISHED WITHIN THE COUNTY OF WESTCHESTER, A HAZARDOUS MATERIALS EMERGENCY RESPONSE UNIT DEMONSTRATION PROJECT. SUCH PROJECT SHALL BE ADMINISTERED UNDER THE DIRECTION OF THE CITY OF YONKERS FIRE DEPARTMENT IN COOPERATION WITH SUCH OTHER FIRE DEPARTMENTS AS NECESSARY TO INSURE PROPER COVERAGE AND ADMINISTRATION OF SUCH DEMONSTRATION PROJECT.

2. THE CITY OF YONKERS FIRE DEPARTMENT SHALL BE RESPONSIBLE FOR THE PROMULGATION AND IMPLEMENTATION OF A PLAN FOR THE ADMINISTRATION OF SUCH DEMONSTRATION PROJECT. SUCH PLAN SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO: THE FORMATION OF AN ANCHOR EMERGENCY RESPONSE UNIT WITHIN THE CITY OF YONKERS TO SERVICE LOWER WESTCHESTER COUNTY AND ACT AS A MODEL UPON WHICH SIMILAR UNITS SHALL BE BASED, A SYSTEM FOR THE SELECTION OF EMERGENCY RESPONSE PERSONNEL, A SCHEDULE TO INSURE TWENTY-FOUR HOUR STAFFING OF EMERGENCY RESPONSE UNIT BASES, THE PROVISION OF SPECIAL APPARATUS AND EQUIPMENT NECESSARY TO PROTECT BOTH EMERGENCY RESPONSE PERSONNEL AND THE PUBLIC FROM THE UNIQUE DANGER POSED BY HAZARDOUS MATERIAL INCIDENTS AND A SYSTEM FOR THE COLLECTION AND REVIEW OF DATA RELATIVE TO THE HAZARDOUS MATERIAL EMERGENCY RESPONSE UNIT AND THE DISTRIBUTION OF SUCH DATA TO OTHER COOPERATING DEPARTMENTS WITHIN WESTCHESTER COUNTY AND THE STATE OF NEW YORK.

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

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

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

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

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