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

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2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. LENTOL -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the public health law and the executive law, in relation to the provision of hazardous materials emergency response training to emergency medical services personnel employed by a fire department operating within a city with a population of more than one million

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

Section 1. The public health law is amended by adding a new section 3005-c to read as follows:

S 3005-C. HAZARDOUS MATERIALS EMERGENCY RESPONSE TRAINING. 1. BEGINNING JANUARY FIRST, TWO THOUSAND THIRTEEN, THE DEPARTMENT, IN COOPERATION WITH THE STATE FIRE ADMINISTRATOR, SHALL MAKE AVAILABLE HAZARDOUS MATERIALS EMERGENCY RESPONSE TRAINING, PURSUANT TO THE PROGRAM ESTABLISHED IN SECTION ONE HUNDRED FIFTY-SIX-A OF THE EXECUTIVE LAW, FOR ALL EMERGENCY MEDICAL SERVICES PERSONNEL EMPLOYED BY A FIRE DEPARTMENT OPERATING WITHIN A CITY OF ONE MILLION OR MORE.

2. THE COMMISSIONER SHALL INFORM ALL EMERGENCY MEDICAL SERVICE PERSONNEL COVERED BY SUBDIVISION ONE OF THIS SECTION, OF THE IMPLEMENTATION AND AVAILABILITY OF THE HAZARDOUS MATERIALS EMERGENCY RESPONSE TRAINING PROGRAM.

3. FUNDING FOR THE TRAINING REQUIRED BY THIS SECTION SHALL BE PROVIDED BY THE DEPARTMENT PURSUANT TO SECTION NINETY-SEVEN-Q OF THE STATE FINANCE LAW.

S 2. Subdivision 1 of section 156-a of the executive law, as amended by section 1 of part D of chapter 1 of the laws of 2004, is amended to read as follows:

1. (A) The state fire administrator shall, in his or her discretion, consult with the [fire fighting and code enforcement personnel standards and education commission established pursuant to section one hundred

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

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fifty-nine-a] ADVISORY COUNCIL FOR FIRE PREVENTION AND CONTROL ESTABLISHED PURSUANT TO SECTION ONE HUNDRED FIFTY-NINE of this article, to establish a specialized hazardous materials emergency response training program for individuals responsible for providing emergency response recovery following incidents involving hazardous materials as defined in accordance with section fourteen-f of the transportation law. The state fire administrator shall inform all fire companies, municipal corporations and districts, including agencies and departments thereof and all firefighters, both paid and volunteer, and related officers and employees and police officers of the implementation and availability of the hazardous materials emergency response training program and shall, subject to the availability of an appropriation, conduct such training with sufficient frequency to assure adequate response to incidents involving hazardous materials and protection of responders in all geographic areas of the state.

(B) THE STATE FIRE ADMINISTRATOR SHALL COOPERATE WITH THE COMMISSIONER OF HEALTH TO ESTABLISH THE SPECIALIZED HAZARDOUS MATERIALS EMERGENCY RESPONSE TRAINING PROGRAM FOR EMERGENCY MEDICAL SERVICES PERSONNEL PROVIDED FOR IN SECTION THREE THOUSAND FIVE-C OF THE PUBLIC HEALTH LAW.

S 3. This act shall take effect immediately.