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

7055

2011-2012 Regular Sessions

I N A S S E M B L Y

April 11, 2011

Introduced by M. of A. J. MILLER, McDONOUGH -- Multi-Sponsored by -- M. of A. CASTRO -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, the education law and the tax law, in relation to supporting the operation of fire districts providing emergency medical services

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

Section 1. Subdivision 4 of section 209-b of the general municipal law, as amended by chapter 718 of the laws of 1958, is amended to read as follows:

4. Fees and charges [prohibited] AUTHORIZED. Emergency and general ambulance service, INCLUDING EMERGENCY MEDICAL SERVICE, authorized pursuant to this section [shall] MAY be furnished without cost to the person served; PROVIDED, HOWEVER, THE AUTHORITIES HAVING CONTROL OF A FIRE DEPARTMENT OR FIRE COMPANY, EXCEPT IN CITIES OF ONE MILLION OR MORE, WHO HAVE AUTHORIZED SUCH FIRE DEPARTMENT OR FIRE COMPANY TO PROVIDE SUCH SERVICE OR SERVICES, MAY ESTABLISH FEES AND CHARGES FOR SERVICES RENDERED. SUCH AUTHORITIES MAY FORMULATE RULES AND REGULATIONS FOR THE COLLECTION OF SUCH FEES AND CHARGES. The acceptance by any fireman of any personal remuneration or gratuity, directly or indirectly, from a person served shall be a ground for [his] expulsion or suspension as a member of the fire department or fire company.

S 2. The opening paragraph of paragraph h of subdivision 2 of section 355 of the education law, as separately amended by chapters 552 and 616 of the laws of 1985, is amended to read as follows:

To regulate the admission of students, prescribe the qualifications for their continued attendance, regulate tuition charges where no provision is otherwise made therefor by law, and regulate other fees and charges, curricula and all other matters pertaining to the operation and administration of each state-operated institution in the state universi-

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

LBD08212-01-1

ty. FOR THE PURPOSES OF CAMPUS PUBLIC SAFETY AND THE EFFECTIVE ADMINISTRATION OF EMERGENCY MEDICAL SERVICES, THE TRUSTEES ARE REQUIRED TO IMPOSE A PER-RESIDENT STUDENT FEE OF NO LESS THAN FIFTY DOLLARS, TO BE COLLECTED BY THE STATE OPERATED CAMPUSES AND RETAINED IN A SPECIAL REVENUE ACCOUNT TO BE ESTABLISHED BY THE OFFICE OF THE STATE COMPTROLLER. THE STATE UNIVERSITY MAY RETAIN ONE AND ONE-HALF PERCENT OF SUCH FEE REVENUE FOR THE PURPOSES OF FUNDING ANY ADMINISTRATIVE COSTS ASSOCIATED WITH THE COLLECTION OF THE CAMPUS SAFETY FEE. PURSUANT TO SUBDIVISION FOUR OF SECTION TWO HUNDRED NINE-B OF THE GENERAL MUNICIPAL LAW, FIRE DEPARTMENTS OR FIRE COMPANIES WHICH PROVIDE EMERGENCY MEDICAL SERVICES TO RESIDENT STUDENTS OF THE STATE UNIVERSITY MAY SUBMIT REQUESTS FOR REIMBURSEMENT FOR SERVICES RENDERED TO SUCH STUDENTS ON FORMS TO BE PRESCRIBED BY THE STATE COMPTROLLER.

S 3. Subdivision (a) of section 1262 of the tax law, as added by chapter 93 of the laws of 1965, is amended to read as follows:

(a) Except as otherwise provided in this article, the local law, ordinance or resolution imposing any county tax pursuant to this article may set aside for county purposes or educational purposes all or any portion of the net collections therefrom. NOTWITHSTANDING ANY LAW, RULE OR REGULATION TO THE CONTRARY, EACH COUNTY SHALL SET ASIDE NO LESS THAN ONE-TENTH OF ONE PERCENT OF ALL SALES TAX REVENUE, AS AUTHORIZED BY THIS ARTICLE, TO SUPPORT THE FINANCING OF FIRE DISTRICTS AND DEPARTMENTS WITHIN SUCH COUNTIES THAT PROVIDE EMERGENCY MEDICAL SERVICES TO ITS RESIDENTS. SUCH DISTRIBUTION OF FUNDS SHALL BE ALLOCATED PURSUANT TO A PLAN TO BE DEVELOPED AND PASSED BY RESOLUTION OF THE GOVERNING BODY OF SUCH COUNTIES, BASED IN PART BY WHAT PERCENTAGE OF REAL PROPERTY WITHIN SUCH FIRE DISTRICTS IS EXEMPT FROM REAL PROPERTY TAXATION UNDER SECTIONS FOUR HUNDRED TWENTY-A AND FOUR HUNDRED TWENTY-B OF THE REAL PROPERTY TAX LAW. In the event all or a portion of the net collections are so set aside for educational purposes, the amounts thereof shall be distributed and paid quarterly to the several school districts in the county in accordance with the total average daily attendance for the last preceding school year of pupils residing in each such district (without regard to the location of the school attended), provided, however, that in the case of school districts which are partially within and partially without the county, such county shall make a distribution to each such school district in accordance with the total average daily attendance of the pupils in such school district who reside in such county and in any such case, the amount to be raised by school taxes by the district from the portion of such district within such county shall be reduced by the amount so distributed.

S 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.