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I N   A S S E M B L Y

June 15, 2012

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Abinanti) --  
read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law and the town law, in relation  
to authorizing fees and charges for emergency medical services

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

1     Section 1.     Subdivision 4 of section 209-b of the general municipal  
2     law, as amended by chapter 718 of the laws of 1958, is amended to read  
3     as follows:  
4     4. Fees and charges [prohibited] AUTHORIZED. Emergency and general  
5     ambulance service, INCLUDING EMERGENCY MEDICAL SERVICE AS DEFINED IN  
6     SECTION THREE THOUSAND ONE OF THE PUBLIC HEALTH LAW, authorized pursuant  
7     to this section [shall] MAY be furnished without cost to the person  
8     served; PROVIDED, HOWEVER, THAT THE ELMSFORD FIRE DEPARTMENT IS AUTHOR-  
9     IZED TO PROVIDE SUCH SERVICE OR SERVICES AND MAY FIX A SCHEDULE OF FEES  
10    OR CHARGES TO BE PAID BY PERSONS REQUESTING SUCH SERVICE OR SERVICES.  
11    THE ELMSFORD FIRE DEPARTMENT MAY PROVIDE FOR THE COLLECTION OF FEES AND  
12    CHARGES OR MAY FORMULATE RULES AND REGULATIONS FOR THE COLLECTION THERE-  
13    OF BY THE FIRE DEPARTMENT. The acceptance by any fireman of any  
14    personal remuneration or gratuity, directly or indirectly, from a person  
15    served shall be a ground for his expulsion or suspension as a member of  
16    the fire department or fire company.  
17    S 2. Paragraph (e) of subdivision 1 of section 122-b of the general  
18    municipal law, as amended by chapter 303 of the laws of 1980, is amended  
19    to read as follows:  
20    (e) [No] A contract [shall] MAY be entered into pursuant to the  
21    provisions of this section for the services of an emergency rescue and  
22    first aid squad of a fire department or fire company which is subject to  
23    the provisions of section two hundred nine-b of [the general municipal  
24    law] THIS CHAPTER;  
25    S 3. Subdivision 1 of section 184 of the town law, as amended by chap-  
26    ter 599 of the laws of 1994, is amended to read as follows:  
27    1. Whenever the town board shall have established or extended a fire  
28    protection district pursuant to the provisions of this article, the town

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

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1 board shall provide for the furnishing of fire protection within the  
2 district and for that purpose may (a) contract with any city, village,  
3 fire district or incorporated fire company maintaining adequate and  
4 suitable apparatus and appliances for the furnishing of fire protection  
5 in such district or (b) may acquire by gift or purchase such apparatus  
6 and appliances for use in such district and may contract with any city,  
7 village, fire district or incorporated fire company for operation, main-  
8 tenance, and repair of the same and for the furnishing of fire  
9 protection in such district, or both. The contract may also provide for  
10 the furnishing of (1) emergency service in case of accidents, calamities  
11 or other emergencies in connection with which the services of firefight-  
12 ers would be required and (2) general ambulance service subject, howev-  
13 er, to the provisions of section two hundred nine-b of the general  
14 municipal law. In the event that the fire department or fire company  
15 furnishing fire protection within the district pursuant to contract does  
16 not maintain and operate an ambulance then a separate contract may be  
17 made for the furnishing within the district of emergency ambulance  
18 service or general ambulance service, or both, with any city, village or  
19 fire district the fire department of which, or with an incorporated fire  
20 company having its headquarters outside the district which, maintains  
21 and operates an ambulance subject, however, in the case of general ambu-  
22 lance service, to the provisions of section two hundred nine-b of the  
23 general municipal law, or with an ambulance service, certified or regis-  
24 tered pursuant to article thirty of the public health law[, which is not  
25 organized under the provisions of section two hundred nine-b of the  
26 general municipal law]. Any such contract with any such ambulance  
27 service permitted herein shall be subject to the provisions of this  
28 section.

29 S 4. This act shall take effect on the ninetieth day after it shall  
30 have become a law.