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

3890--B

2011-2012 Regular Sessions

I N S E N A T E

March 8, 2011

Introduced by Sen. OPPENHEIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Labor in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the workers' compensation law and the general municipal law, in relation to coverage of community emergency response teams

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

Section 1. The workers' compensation law is amended by adding a new section 101 to read as follows:

S 101. COVERAGE OF COMMUNITY EMERGENCY RESPONSE TEAMS. 1. THE FOLLOWING MUNICIPALITIES THAT EMPLOY COMMUNITY EMERGENCY RESPONSE TEAMS (CERT) MAY INCLUDE SUCH TEAMS AS EMPLOYEES IN THEIR ARRANGEMENTS AND CONTRACTS WITH THE FUND:

TOWN OF NEW CASTLE, COUNTY OF WESTCHESTER.

2. COMPENSATIONS PAYABLE UNDER THIS CHAPTER TO COMMUNITY EMERGENCY RESPONSE TEAMS (CERT) SHALL BE PAID FROM THE STATE INSURANCE FUND.

3. COMPUTATION OF PREMIUMS ON POLICIES ENTERED PURSUANT TO THIS SECTION SHALL BE MADE IN THE SAME MANNER AS PROVIDED FOR VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS AS PRESCRIBED IN THIS ARTICLE OR THE REGULATIONS PROMULGATED THEREUNDER.

S 2. Subdivisions 3 and 4 of section 209-bb of the general municipal law, as amended by chapter 482 of the laws of 1997, are amended to read as follows:

3. Municipalities and organizations that insure volunteer firefighters, volunteer ambulance workers, MEMBERS OF COMMUNITY EMERGENCY RESPONSE TEAMS AS PROVIDED IN SECTION ONE HUNDRED ONE OF THE WORKERS' COMPENSATION LAW or municipal employees, as the term "employee" is

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

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defined under section eighteen of the public officers law, may extend such insurance coverage to members of a specialized team by resolution.

4. For the purposes of this section, "specialized teams" shall mean any emergency team or squad composed of volunteer firefighters, volunteer ambulance workers, MEMBERS OF COMMUNITY EMERGENCY RESPONSE TEAMS AS PROVIDED IN SECTION ONE HUNDRED ONE OF THE WORKERS' COMPENSATION LAW; or municipal employees, who shall have attained the minimum level of training or experience to meet qualifying standards established by the office of fire prevention and control, and which is administered by the state, a county, city or town for the purposes of training for or responding to a man made or natural disaster by carrying out any activities which are within the relevant training and expertise of such municipal employees or are authorized pursuant to the volunteer firefighters' benefit law or the volunteer ambulance workers' benefit law but which are not normally provided by such entities.

S 3. This act shall take effect immediately.