

1232

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by 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;

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

LBD03623-01-3

1 S 3. Subdivision 1 of section 184 of the town law, as amended by chap-
2 ter 599 of the laws of 1994, is amended to read as follows:

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

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