

1552

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013

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Introduced by M. of A. KOLB, GUNTHER -- read once and referred to the  
Committee on Local Governments

AN ACT to amend the volunteer firefighters' benefit law, in relation to  
the expansion of coverage to include cancer of the digestive, hemato-  
logical, lymphatic, urinary, prostate, neurological, breast and repro-  
ductive systems; and providing for the repeal of such provisions upon  
expiration thereof

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

1     Section 1. The volunteer firefighters' benefit law is amended by  
2     adding a new section 11-d to read as follows:  
3     S 11-D. CERTAIN IMPAIRMENTS OF HEALTH; PRESUMPTION. NOTWITHSTANDING  
4     ANY OTHER PROVISION OF THIS CHAPTER TO THE CONTRARY, ANY: (I) MELANOMA;  
5     OR (II) CONDITION OF CANCER AFFECTING LYMPHATIC, DIGESTIVE, HEMATOLOGI-  
6     CAL, URINARY, PROSTATE, NEUROLOGICAL, BREAST OR REPRODUCTIVE SYSTEMS,  
7     RESULTING IN TOTAL OR PARTIAL DISABILITY OR DEATH TO A VOLUNTEER FIRE-  
8     FIGHTER, WHO SUCCESSFULLY PASSED A PHYSICAL EXAMINATION ON ENTRY INTO  
9     FIREFIGHTER SERVICE, WHICH EXAMINATION FAILED TO REVEAL ANY EVIDENCE OF  
10    SUCH A MELANOMA OR CONDITION, SHALL BE PRESUMPTIVE EVIDENCE THAT IT WAS  
11    INCURRED IN THE PERFORMANCE AND DISCHARGE OF DUTY UNLESS THE CONTRARY BE  
12    PROVEN BY COMPETENT EVIDENCE.  
13    S 2. This act shall take effect immediately and shall expire and be  
14    deemed repealed June 30, 2017.

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

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