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

6609--A

Cal. No. 529

I N S E N A T E

February 1, 2016

Introduced by Sens. RITCHIE, YOUNG, AKSHAR, MARCHIONE, O'MARA, VALESKY -- (at request of the Legislative Commission on Rural Resources) -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the general municipal law, in relation to authorizing volunteer firefighters from other states to provide assistance to fire departments, companies and districts in this state

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

Section 1. Section 209-i of the general municipal law is amended by adding a new subdivision 1-c to read as follows:

1-C. AN OUT-OF-STATE FIREFIGHTER WHO, BECAUSE OF A SECOND RESIDENCE OR MILITARY SERVICE, IS REGULARLY IN AN AREA SERVED BY A VOLUNTEER FIRE COMPANY OR FIRE DEPARTMENT MAY VOLUNTEER THEIR SERVICES ON AN ON-GOING BASIS TO SUCH FIRE COMPANY OR FIRE DEPARTMENT FOR THE PURPOSE OF ASSISTING SUCH COMPANY OR DEPARTMENT'S GENERAL OR EMERGENCY AMBULANCE SERVICES, OR FOR THE PURPOSE OF ASSISTING SUCH FIRE COMPANY OR FIRE DEPARTMENT AT A FIRE OR OTHER EMERGENCY SCENE OR FOR THE PURPOSE OF TRAINING WITH SUCH FIRE COMPANY OR FIRE DEPARTMENT, PROVIDED THAT SUCH COMPANY OR DEPARTMENT IS AUTHORIZED TO ACCEPT SUCH SERVICES BY THE LEGISLATIVE BODY OF THE CITY OR THE VILLAGE, THE BOARD OF FIRE COMMISSIONERS OR OTHER GOVERNING BOARD OF THE FIRE DISTRICT, OR THE TOWN BOARD OF THE TOWN IN RELATION TO (A) THE FIRE COMPANIES SERVING TERRITORY OUTSIDE VILLAGES AND FIRE DISTRICTS OR (B) A TOWN FIRE DEPARTMENT, AS THE CASE MAY BE. UPON APPLICATION BY AN OUT-OF-STATE FIREFIGHTER, A FIRE COMPANY OR FIRE DEPARTMENT SHALL DETERMINE WHETHER THE OUT-OF-STATE FIREFIGHTER MEETS THE MINIMUM CERTIFICATIONS FOR ACTIVE MEMBERS OF THEIR COMPANY OR DEPARTMENT AND WHETHER THE OUT-OF-STATE FIRE-FIGHTER IS IN GOOD STANDING WITH THE FIRE COMPANY OR DEPARTMENT IN WHICH THEY NORMALLY SERVE. IF A VOLUNTEER FIRE COMPANY OR FIRE DEPARTMENT ACCEPTS THE SERVICES OF AN OUT-OF-STATE FIREFIGHTER, SUCH FIREFIGHTER SHALL BE ENTI-

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

LBD02180-06-6

TLED TO ALL POWERS, RIGHTS, PRIVILEGES AND IMMUNITIES GRANTED BY LAW TO VOLUNTEER FIREFIGHTERS DURING THE TIME SUCH SERVICES ARE RENDERED, PROVIDED, HOWEVER, SUCH FIREFIGHTER SHALL NOT BE ELIGIBLE TO PARTICIPATE IN A SERVICE AWARD PROGRAM AS AUTHORIZED BY ARTICLES ELEVEN-A AND ELEVEN-AAAA OF THE GENERAL MUNICIPAL LAW NOR SHALL SUCH FIREFIGHTER BE ELIGIBLE FOR COVERAGE UNDER SECTION ELEVEN-C OF THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW RELATING TO DISEASES OF THE LUNG AND SECTION SIXTY-ONE OF THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW RELATING TO DISEASE OR MALFUNCTION OF HEART OR CORONARY ARTERIES AND ANY OTHER PRESUMPTIVE COVERAGE FOR IMPAIRMENT OF HEALTH OR DEATH. UPON ACCEPTANCE OF AN OUT-OF-STATE FIREFIGHTER TO A FIRE COMPANY OR FIRE DEPARTMENT, SUCH COMPANY OR DEPARTMENT SHALL PROVIDE TO THE APPLICANT, AND THE APPLICANT SHALL ACKNOWLEDGE RECEIPT OF, THE FOLLOWING WRITTEN STATEMENT: "IF A VOLUNTEER FIRE COMPANY OR FIRE DEPARTMENT ACCEPTS THE SERVICES OF AN OUT-OF-STATE FIREFIGHTER, SUCH FIREFIGHTER SHALL BE ENTITLED TO ALL POWERS, RIGHTS, PRIVILEGES AND IMMUNITIES GRANTED BY LAW TO VOLUNTEER FIREFIGHTERS DURING THE TIME SUCH SERVICES ARE RENDERED, PROVIDED, HOWEVER, SUCH FIREFIGHTER SHALL NOT BE ELIGIBLE TO PARTICIPATE IN A SERVICE AWARD PROGRAM AS AUTHORIZED BY ARTICLES 11-A AND 11-AAAA OF THE GENERAL MUNICIPAL LAW, NOR SHALL SUCH FIREFIGHTERS BE ELIGIBLE FOR COVERAGE UNDER SECTION ELEVEN-C OF THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW, RELATING TO DISEASES OF THE LUNG, AND SECTION 61 OF THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW, RELATING TO DISEASE OR MALFUNCTION OF HEART OR CORONARY ARTERIES, AND ANY OTHER PRESUMPTIVE COVERAGE FOR IMPAIRMENT OF HEALTH OR DEATH."

S 2. This act shall take effect immediately.