

1020--B

R. R. 36

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 8, 2015

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Introduced by M. of A. GUNTHER, SKARTADOS, PALMESANO, FITZPATRICK, JEAN-PIERRE -- read once and referred to the Committee on Local Governments -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Rules -- amended on special order of third reading, ordered reprinted, retaining its place on the special 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:

1     Section 1. Section 209-i of the general municipal law is amended by  
2     adding a new subdivision 1-c to read as follows:  
3     1-C. AN OUT-OF-STATE FIREFIGHTER WHO, BECAUSE OF A SECOND RESIDENCE OR  
4     MILITARY SERVICE, IS REGULARLY IN AN AREA SERVED BY A VOLUNTEER FIRE  
5     COMPANY OR FIRE DEPARTMENT MAY VOLUNTEER THEIR SERVICES ON AN ON-GOING  
6     BASIS TO SUCH FIRE COMPANY OR FIRE DEPARTMENT FOR THE PURPOSE OF ASSIST-  
7     ING SUCH COMPANY OR DEPARTMENT'S GENERAL OR EMERGENCY AMBULANCE  
8     SERVICES, OR FOR THE PURPOSE OF ASSISTING SUCH FIRE COMPANY OR FIRE  
9     DEPARTMENT AT A FIRE OR OTHER EMERGENCY SCENE OR FOR THE PURPOSE OF  
10    TRAINING WITH SUCH FIRE COMPANY OR FIRE DEPARTMENT, PROVIDED THAT SUCH  
11    COMPANY OR DEPARTMENT IS AUTHORIZED TO ACCEPT SUCH SERVICES BY THE  
12    LEGISLATIVE BODY OF THE CITY OR THE VILLAGE, THE BOARD OF FIRE COMMIS-  
13    SIONERS OR OTHER GOVERNING BOARD OF THE FIRE DISTRICT, OR THE TOWN BOARD  
14    OF THE TOWN IN RELATION TO (A) THE FIRE COMPANIES SERVING TERRITORY  
15    OUTSIDE VILLAGES AND FIRE DISTRICTS OR (B) A TOWN FIRE DEPARTMENT, AS  
16    THE CASE MAY BE. UPON APPLICATION BY AN OUT-OF-STATE FIREFIGHTER, A FIRE  
17    COMPANY OR FIRE DEPARTMENT SHALL DETERMINE WHETHER THE OUT-OF-STATE  
18    FIREFIGHTER MEETS THE MINIMUM CERTIFICATIONS FOR ACTIVE MEMBERS OF THEIR

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

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1 COMPANY OR DEPARTMENT AND WHETHER THE OUT-OF-STATE FIRE-FIGHTER IS IN  
2 GOOD STANDING WITH THE FIRE COMPANY OR DEPARTMENT IN WHICH THEY NORMALLY  
3 SERVE. IF A VOLUNTEER FIRE COMPANY OR FIRE DEPARTMENT ACCEPTS THE  
4 SERVICES OF AN OUT-OF-STATE FIREFIGHTER, SUCH FIREFIGHTER SHALL BE ENTI-  
5 TLED TO ALL POWERS, RIGHTS, PRIVILEGES AND IMMUNITIES GRANTED BY LAW TO  
6 VOLUNTEER FIREFIGHTERS DURING THE TIME SUCH SERVICES ARE RENDERED,  
7 PROVIDED, HOWEVER, SUCH FIREFIGHTER SHALL NOT BE ELIGIBLE TO PARTICIPATE  
8 IN A SERVICE AWARD PROGRAM AS AUTHORIZED BY ARTICLES ELEVEN-A AND  
9 ELEVEN-AAAA OF THE GENERAL MUNICIPAL LAW NOR SHALL SUCH FIREFIGHTER BE  
10 ELIGIBLE FOR COVERAGE UNDER SECTION ELEVEN-C OF THE VOLUNTEER FIREFIGHT-  
11 ERS' BENEFIT LAW RELATING TO DISEASES OF THE LUNG AND SECTION SIXTY-ONE  
12 OF THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW RELATING TO DISEASE OR  
13 MALFUNCTION OF HEART OR CORONARY ARTERIES AND ANY OTHER PRESUMPTIVE  
14 COVERAGE FOR IMPAIRMENT OF HEALTH OR DEATH. UPON ACCEPTANCE OF AN  
15 OUT-OF-STATE FIREFIGHTER TO A FIRE COMPANY OR FIRE DEPARTMENT, SUCH  
16 COMPANY OR DEPARTMENT SHALL PROVIDE TO THE APPLICANT, AND THE APPLICANT  
17 SHALL ACKNOWLEDGE RECEIPT OF, THE FOLLOWING WRITTEN STATEMENT: "IF A  
18 VOLUNTEER FIRE COMPANY OR FIRE DEPARTMENT ACCEPTS THE SERVICES OF AN  
19 OUT-OF-STATE FIREFIGHTER, SUCH FIREFIGHTER SHALL BE ENTITLED TO ALL  
20 POWERS, RIGHTS, PRIVILEGES AND IMMUNITIES GRANTED BY LAW TO VOLUNTEER  
21 FIREFIGHTERS DURING THE TIME SUCH SERVICES ARE RENDERED, PROVIDED,  
22 HOWEVER, SUCH FIREFIGHTER SHALL NOT BE ELIGIBLE TO PARTICIPATE IN A  
23 SERVICE AWARD PROGRAM AS AUTHORIZED BY ARTICLES 11-A AND 11-AAAA OF THE  
24 GENERAL MUNICIPAL LAW, NOR SHALL SUCH FIREFIGHTERS BE ELIGIBLE FOR  
25 COVERAGE UNDER SECTION ELEVEN-C OF THE VOLUNTEER FIREFIGHTERS' BENEFIT  
26 LAW, RELATING TO DISEASES OF THE LUNG, AND SECTION 61 OF THE VOLUNTEER  
27 FIREFIGHTERS' BENEFIT LAW, RELATING TO DISEASE OR MALFUNCTION OF HEART  
28 OR CORONARY ARTERIES, AND ANY OTHER PRESUMPTIVE COVERAGE FOR IMPAIRMENT  
29 OF HEALTH OR DEATH."

30 S 2. This act shall take effect immediately.