

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:

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
19 COMPANY OR DEPARTMENT AND WHETHER THE OUT-OF-STATE FIRE-FIGHTER IS IN
20 GOOD STANDING WITH THE FIRE COMPANY OR DEPARTMENT IN WHICH THEY NORMALLY
21 SERVE. IF A VOLUNTEER FIRE COMPANY OR FIRE DEPARTMENT ACCEPTS THE
22 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.

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

26 S 2. This act shall take effect immediately.