

# STATE OF NEW YORK

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4173--A

Cal. No. 387

2019-2020 Regular Sessions

## IN SENATE

March 4, 2019

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Introduced by Sens. GAUGHRAN, BIAGGI, CARLUCCI, FUNKE, GALLIVAN, MARTINEZ, THOMAS -- 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, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to 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 proof of eligibility for volunteer firefighter enhanced cancer disability benefits; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subparagraph (ii) of paragraph a of subdivision 1 of  
2 section 205-cc of the general municipal law, as amended by chapter 334  
3 of the laws of 2017, is amended and a new subdivision 8 is added to read  
4 as follows:

5 (ii) Having submitted proof of five years of interior firefighting  
6 service by providing verification that he or she has passed at least  
7 five yearly certified mask fitting tests as set forth in 29 CFR 1910.134  
8 or the [~~current~~] applicable National Fire Protection Association stand-  
9 ards for mask fit testing.

10 8. In the absence of the documentation required in paragraph a of  
11 subdivision one of this section, the volunteer firefighter shall be  
12 eligible if they submit alternative documentation as determined by the  
13 office of fire prevention and control. The office of fire prevention and  
14 control shall promulgate rules and regulations as to an acceptable  
15 combination of alternative documentation and such documentation shall  
16 include, but not be limited to, training records, documentation that the  
17 firefighter was an active interior volunteer firefighter as evidenced by  
18 National Fire Incident Reports submitted by the volunteer's fire depart-

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

LBD09470-03-9

1 ment, or any other combination of official documents capable of evidenc-  
2 ing that the firefighter meets the requirements of this section.  
3 § 2. This act shall take effect immediately and shall expire and be  
4 deemed repealed 10 years after such date.