

FASNY LEGISLATIVE CONFERENCE PROMOTES LEGISLATION FOR VOLUNTEER FIREFIGHTERS

On Saturday, February 2, Central NY Firemen's Association and FASNY held a legislative session at the Port Crane fire station. Approximately 55 people attended from fire companies in Broome, Chenango and Tioga Counties.

Two legislators were in attendance and two others sent legislative aides to the meetings. Assemblyman Clifford Crouch and Assemblywoman Donna Lupardo attended the meeting. Senator Thomas Libous was unable to attend and sent Jerry Marinich, a retired Binghamton Firefighter, who serves as the Senator's advisor on emergency services issues. An aide of Assemblyman Gary Finch also attended the meeting to take back information on the proposed legislation to the Assemblyman but did not speak on his behalf.

Assemblyman Crouch advised that he had just been named chairman of a new Task Force on Volunteer Recruitment for New York State. The committee will begin to look at ways to address the shortage of volunteers in the state.

FASNY Presented its legislative agenda for 2008 which includes a variety of issues. You can check the status of any of these bills online at http://www.fasny.com/legislation_issues-scorecard.aspx

Bills numbers are shown and links will take you directly to the bill on the New York State Legislative website where you can view a summary of the bill, the entire text of the bill, its sponsors and its status to date.

We would urge you to contact your senator and assemblyman to ask them to support any or all of these bills.

FASNY continues to promote legislation that aids the volunteer fire service in New York. If you have any ideas for legislation or have questions about any proposed legislation please contact FASNY at fasny@fasny.com

HEALTH INSURANCE FOR VOLUNTEER FIREFIGHTERS

[A.4617-A](#)

[A.7669-A](#)

This bill allows volunteer firefighters and EMS workers access to current municipal plans such as through their local towns or villages. They will have to pay for the insurance themselves but by being able to buy into municipal plans the cost will be much less than what they would pay elsewhere.

There is a precedent for this, as many years ago school board members were allowed to purchase health insurance through the local district that they represented.

ADDITIONAL VOLUNTEER FIREFIGHTER RECRUITMENT SCHOLARSHIPS

[S3673](#)

[A8424](#)

This bill is to provide fire and EMS agencies to submit more than one name for the Volunteer Fire & EMS scholarships. Currently each fire or EMS agency may submit only one name. Since some agencies do not have eligible volunteers, many years not all of the allocated funds are used. This will allow agencies to submit up to three names each year for the scholarship to ensure that all of the available funds for scholarships are used.

This has already been passed in the Senate and is waiting for approval from the Assembly.

VOLUNTEER FIREFIGHTER & EMS RECRUITMENT FUND

[S2340](#)

[A2637](#)

This legislation will establish a New York State Volunteer Recruitment Fund. This will be funded by a check off fund on New York State Tax Returns (similar to the Wildlife Fund, Alzheimer's Fund, etc.). Monies received through the check off will be used to fund a grant program for recruitment programs throughout the state.

RESIDENTIAL UTILITY RATES

[S2340](#)

[A2637](#)

Currently fire companies are charged business rates. The rate is determined by the highest usage you had during the month. That means that if your siren goes off, your doors open and your apparatus floor heaters go on, you may be drawing a lot of electricity for a short period time. But this high energy draw will cause your electric rate to increase for the entire month! This legislation will force utility providers (such as NYSEG) to charge fire companies and ambulance squads the same rate as residential users which is much less than the business rate.

Churches, legions and other some other non-profits already are able to obtain lower rate for utility costs and fire companies would like to receive this same discount.

This bill has passed in the Senate and is waiting on Assembly approval. This bill only covers gas and electric rates. Similar bills are being considered for telecommunications (phones, cell phones, etc.)

RECURRING BUDGET ISSUES

There are several items that are funded each year in the NYS Budget that are of concern for fire companies in our state:

Emergency Services Low Interest Loan Fund

This commonly referred to as the “Low Interest Loan Fund” was established in 1994 to make loans to emergency services organization to help them upgrade facilities and purchase fire trucks and equipment. Over 340 loans, totaling \$38 millions dollars have been made from the fund to date and there has never been one defaulted loan.

The \$4.1 million which the state budgets for the fund each year really is not sufficient. Much of the money that the state budgets is based on payments to the loan fund so much of this is not “new money” but repayments. There is a waiting list for loans and the state needs to increase the amount it puts into the loan fund so that it can help more emergency services organizations.

Post- High School Tuition

The volunteer recruitment Scholarship (previously discussed) needs to continue to be funded. Currently the state budgets \$4 million for the scholarship and this needs to continue to be budgeted to support these scholarship.

Fire Code Standard Training

The budget calls only for \$600,000 to be budgeted for training in fire codes. Last year this amount was enough to cover only the manuals for fire departments. This amount funded no training.

\$7-\$8 million s funded by a surcharge on insurance that was designed to provide funds for code enforcement training. This money has now been diverted back to the general fund, rather than ear-marked for code enforcement training. Would like to see at least part, if not all, of this surcharge go back for its intended purpose. Most municipalities have tight budgets and do not have the funds to send code enforcement officers for training. This money is needed so that code enforcement officers can be properly trained.

PERMANENT HEART BILL

Sponsors pending; no bill numbers yet assigned.

This bill deals with coverage by Volunteer Firefighter Benefit Law (VFBL) for heart attacks suffered by firefighters and requires that the claim be paid unless there is substantial reason to believe that the duties of a volunteer firefighter did not cause the heart disease or malfunction. Prior to this legislation volunteer firefighters who suffered line-of-duty heart attacks were often subjected to long delays and even denials when their claims were submitted. .

Since 1977 the law has been continuously renewed first in two-year increments, and most recently with five-year extensions. Rather than the legislature constantly renewing the coverage, it would seem logical that the bill should be made permanent so that it cannot accidentally lapse and legislators will not have to waste their time renewing this bill every few years.

HAZ MAT PLANNING AND RESPONSE

[S3834](#)

[A7332](#)

This bill provides reimbursement to fire companies for costs associated with hazardous material spill and leak cleanups by the person transporting the hazardous materials. The state would design forms and a system to enable a fire company to recoup the cost of clean up from the company transporting the hazardous materials.

CANCER IMPAIRMENT

No bills numbers yet assigned - new legislation to be introduced.

Many firefighters suffer lung diseases as a result of inhaling smoke during firefighting activities. In 2006 a law was passed to provide coverage to insure that claims from lung diseases are covered by VFBL. This was temporary coverage and rather than extending it every few years we would like to see a permanent bill in place.

ELIMINATE EMERGENCY SERVICES EXEMPTION FROM SEAT BELT LAW

No bills numbers yet assigned - new legislation to be introduced

Current state law prohibits emergency vehicles from being included in the mandatory usage of seat belts.

Since 25% of all firefighter fatalities are as a result of motor vehicle accidents, FASNY would like to see this exemption removed so that all emergency workers would be required to wear seat belts. This would be safer and would result in fewer deaths and injuries.

It was noted that some allowance would have to be made for EMS providers who cannot wear a seat belt and still tend to their patients. However manufacturers are already working on harnesses to make riding in ambulances safer for EMS providers who cannot wear a regular seat belt.

AMBULANCE COST RECOVERY

[S2341](#)

[A2644](#)

Currently ambulances that are part of a fire department or fire district cannot charge fees for ambulance transport or EMS service. As a result many ambulance squads have had to disassociate themselves from the fire department in able to bill for services. Many of these fire companies have had to put on paid personnel to cover calls and these fees are needed to provide funds for these personnel.

This bill would permit ambulances that are part of the fire department to bill for medical services provided.

VFBL/ VAWBL FOR NON-JURISDICTIONAL INTERVENTION

[S3619](#)

No assembly bill sponsor

This legislation is aimed at providing coverage under VFBL and VAWBL for emergency services volunteers who offer assistance to agencies outside their home district. This would provide “Good Samaritan” coverage to volunteer firefighters and ambulance workers who provide assistance while outside their jurisdiction. This will permit emergency services volunteers to offer trained assistance without fear of lawsuit.

Current law mandates that the volunteer must get permission from the fire company or ambulance where the call is located to offer assistance. In many cases trained volunteers may be on the scene prior to the arrival of local crews and would not be covered by VFBL or VAWBL if they were to get hurt.

YOUTH ON THE FIREGROUND

[S588](#)

[A3729](#)

This bill would clarify the rules for volunteer fire youth programs and provide limited access to the fireground.

Some fire personnel questioned whether this would affect fire companies who allow 16 and 17-year old to be firefighters but were advised that this specifically pertained only to youths who were members of youth programs and not those who were fire company members.

FALLEN FIREFIGHTER MEMORIAL

[A9490A](#)

[S6628](#)

This bill provides criteria for which any firefighters who die in the line of duty may have their name placed on the Fallen Firefighter Memorial Wall in Albany.

In 2007 two firefighters who died in the line of duty were denied having their names placed on the wall and this law is to ensure that this does not happen again.

MUNICIPAL DEPOSITS TO CREDIT UNIONS

[S4071](#)

[A7030](#)

Currently NYS municipalities and fire districts may not invest money in credit unions. This law would permit all municipalities, including fire districts, to have deposits in credit unions

COST OF LIVING ADJUSTMENT

[S2597](#)

[A5487](#)

This law will increase the benefits received by totally disable firefighters and ambulance workers. This benefit (\$400 per week) has not been adjusted since 1998. In 2007 the workers compensation law was changed to increase payments but this did not apply to VFBL or VAWBL.

LOSAP TAX RELIEF

[S2026](#)

[A4895](#)

This law would exempt payments made under firefighters Length of Service Awards Programs (LOSAP) . Currently firefighters who receive payments under these programs must pay tax on the payments, even if they are small. This law would exempt these payments.

PERSONAL INCOME TAX CREDIT SUPPLEMENT

[S2593](#)

[A8909](#)

Last year legislation was passed to give all volunteer fire and EMS workers a \$200 income tax credit. This law increases the tax credit up to \$1,000 based on years of service.

Years of Consecutive Qualifying Service	Amount of Tax Credit
1	\$100
2	\$200
3	\$300
4	\$400
5	\$500
6	\$600
7	\$700
8	\$800
9	\$900
10	\$1000

The current proposed bill requires the volunteer to:

- Be a member in good standing with a volunteer fire company for at least one year;
- Have completed all training courses required by NYS
- be certified by his or her county emergency services coordinator to have attended forty (40%) of the activities of the volunteer department

FASNY officials noted that there would have to be some changes to the current requirements in the legislation.

