

S8251-B KAMINSKY Same as [A 10438-A](#) Rules (Thiele)

ON FILE: 05/24/20 General Municipal Law

TITLE....Relates to the determination of points for service award programs for volunteer firefighters and volunteer ambulance workers during a state disaster emergency

04/27/20 REFERRED TO LOCAL GOVERNMENT

05/06/20 AMEND (T) AND RECOMMIT TO LOCAL GOVERNMENT

05/06/20 PRINT NUMBER 8251A

05/24/20 AMEND (T) AND RECOMMIT TO LOCAL GOVERNMENT

05/24/20 PRINT NUMBER 8251B

05/26/20 REPORTED AND COMMITTED TO RULES

05/27/20 ORDERED TO THIRD READING CAL.653

05/27/20 PASSED SENATE

05/27/20 DELIVERED TO ASSEMBLY

05/27/20 referred to local governments

05/27/20 substituted for a10438a

05/27/20 ordered to third reading rules cal.40

05/27/20 passed assembly

05/27/20 returned to senate

06/05/20 DELIVERED TO GOVERNOR

06/17/20 SIGNED CHAP.113

KAMINSKY, BROOKS, GAUGHRAN, ADDABBO, CARLUCCI, COMRIE, HARCKHAM, HELMING, HOYLMAN, KAPLAN, KENNEDY, LIU, MARTINEZ, METZGER, SKOUFIS

Amd §§217, 219-e & 219-m, Gen Muni L

Relates to the determination of points for service award programs for volunteer firefighters and volunteer ambulance workers during a state disaster emergency.

STATE OF NEW YORK

8251--B

IN SENATE

April 27, 2020

Introduced by Sens. KAMINSKY, BROOKS, GAUGHRAN, MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to the determination of points for service award programs for volunteer firefighters and volunteer ambulance workers during a state disaster emergency; 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. Section 217 of the general municipal law is amended by
 2 adding a new subdivision (p) to read as follows:
 3 (p) For purposes of determining total points earned for a calendar
 4 year in which a state disaster emergency, as defined in section twenty
 5 of the executive law, has been declared pursuant to executive order
 6 number two hundred two of two thousand twenty, as amended, to address
 7 the outbreak of novel coronavirus, COVID-19, an active volunteer fire-
 8 fighter service award program may provide for the crediting of up to
 9 five additional points per month, prorated for periods of less than one
 10 month, to each active volunteer firefighter for each month that special
 11 emergency response rules were in place restricting firefighter responses
 12 to emergency responses and/or restricting the holding of activities for
 13 which points could be earned due to guidelines related to the state
 14 disaster emergency. A political subdivision electing to provide the
 15 additional points authorized under this subdivision shall adopt a resolu-
 16 tion by April thirtieth, two thousand twenty-one determining the number
 17 of additional points to be credited per month, provided that any addi-
 18 tional points credited pursuant to this subdivision shall be in addition
 19 to any other points earned pursuant to this section during the state
 20 disaster emergency.
 21 § 2. Subdivision 3 of section 219-e of the general municipal law is
 22 amended by adding a new paragraph (k) to read as follows:

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

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1 (k) Determination of points. For purposes of determining total points
2 earned for a calendar year in which a state disaster emergency, as
3 defined in section twenty of the executive law, has been declared pursu-
4 ant to executive order number two hundred two of two thousand twenty, as
5 amended, to address the outbreak of novel coronavirus, COVID-19, an
6 active volunteer ambulance worker award program may provide for the
7 crediting of up to five additional points per month, prorated for peri-
8 ods of less than one month, to each volunteer ambulance worker for each
9 month that special emergency response rules were in place restricting
10 ambulance workers responses to emergency responses and/or restricting
11 the holding of activities for which points could be earned due to guide-
12 lines related to the state disaster emergency. A political subdivision
13 electing to provide the additional points authorized under this subdivi-
14 sion shall adopt a resolution by April thirtieth, two thousand twenty-
15 one determining the number of additional points to be credited per
16 month, provided that any additional points credited pursuant to this
17 paragraph shall be in addition to any other points earned pursuant to
18 this section during the state disaster emergency.

19 § 3. Subdivision 3 of section 219-m of the general municipal law is
20 amended by adding a new paragraph (k) to read as follows:

21 (k) Determination of points. For purposes of determining total points
22 earned for a calendar year in which a state disaster emergency, as
23 defined in section twenty of the executive law, has been declared pursu-
24 ant to executive order number two hundred two of two thousand twenty, as
25 amended, to address the outbreak of novel coronavirus, COVID-19, an
26 active volunteer ambulance worker award program may provide for the
27 crediting of up to five additional points per month, prorated for peri-
28 ods of less than one month, to each volunteer ambulance worker for each
29 month that special emergency response rules were in place restricting
30 ambulance workers responses to emergency responses and/or restricting
31 the holding of activities for which points could be earned due to guide-
32 lines related to the state disaster emergency. A political subdivision
33 electing to provide the additional points authorized under this subdivi-
34 sion shall adopt a resolution by April thirtieth, two thousand twenty-
35 one determining the number of additional points to be credited per
36 month, provided that any additional points credited pursuant to this
37 paragraph shall be in addition to any other points earned pursuant to
38 this section during the state disaster emergency.

39 § 4. This act shall take effect immediately and shall expire and be
40 deemed repealed December 31, 2022.

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S8251b

SPONSOR: KAMINSKY

TITLE OF BILL:

An act to amend the general municipal law, in relation to the determination of points for service award programs for volunteer firefighters and volunteer ambulance workers during a state disaster emergency; and providing for the repeal of such provisions upon expiration thereof

PURPOSE:

To ensure volunteer firefighters and volunteer ambulance workers receive credits toward their length of service award programs during the COVID19 pandemic.

SUMMARY OF PROVISIONS:

Section 1 amends General Municipal Law § 217 relation to Length of Service Award Programs ("LOSAP's") in order to address the impact of the COVID 19 crisis on the ability of volunteer firefighter participants to achieve performance points under the program point system in light of changes to emergency response protocols and the cancellation of activities for which points can be earned.

Makes subsequent amendments to GML 219-e and 219-m, to allow volunteer ambulance workers to achieve performance points under the program.

Effective date.

JUSTIFICATION:

The length of service award programs (LOSAP) are pension-like programs intended to help recruit, retain and reward volunteer firefighters and ambulance workers for serving their communities. New York requires volunteers to earn 50 points in a given year to receive these benefits. Firefighters receive points by responding to calls, attending training, and being on standby. However, emergency precautions have been adopted to protect vulnerable volunteer firefighters from COVID-19.

Specifically, fire departments have had to reduce their responses to dispatch calls or require vulnerable volunteers to stay home. Fire departments and have also been forced to cancel multiple training events and meetings, which has drastically reduced opportunities to earn credits towards LOSAP. Due to this, many volunteers are concerned they will not be able to earn the necessary number of credits this year.

This legislation will allow active volunteers to earn up to five points per month during the COVID-19 pandemic.

LEGISLATIVE HISTORY:

None.

FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE:

Immediately, and will expire and be deemed repealed December 31, 2022.