

## **2021 NYSPFFA Legislation Talking Points**

### **Disbursement of Foreign Fire Tax (2%) Monies to NYSPFFA - S.2863 (Gounardes)/A.4093 (Abbate)**

- This legislation would provide a greater balance in allocating the percentage of foreign fire tax (2%) monies pursuant to Section 9105 of the Insurance Law.
- Currently 10% of the total foreign fire tax monies collected by the State go to Firemen's Association of New York (FASNY). On the other hand, NYSPFFA, the umbrella organization for paid, professional fire fighters, does not receive any distribution of the foreign fire tax monies. This bill would still allocate 9% of the foreign fire tax monies to FASNY with the other 1% distributed to NYSPFFA. Importantly, such redistribution would not affect or change the amounts being distributed directly to the fire companies.

### **Death and Disability Presumption for Parkinson's Disease – S.4233 (Gounardes)**

- This bill establishes a presumption with respect to Parkinson's Disease that results in death or disability for paid firefighters in New York State.
- Modeled after existing law in Indiana and pending legislation in other states (MA)

### **Hearing Officer for Removal and Disciplinary Action – S.2891 (Gounardes)/A.4784 (Abbate)**

- Requires that hearing officers be members of the American Arbitration Association (AAA) and selected mutually by the employer and impacted employee.
- If mutual agreement cannot be reached, the hearing officer will be selected pursuant to AAA rules.
- Further, the bill states that the decision of the hearing officer shall be implemented.
- NYSPFFA is working along with other labor organizations on this issue.
- The Senate passed this bill in 2019.

### **Special Act Legislation to State Insurance Law - S.713 (Breslin)**

- There are local laws and special laws enacted by the legislature that predate sections 9104 and 9105, many of which date back to the early 1900s and include terminology and various entities that are no longer in use.
- This legislation would provide an avenue for local governments to update their antiquated and outdated laws related to the disbursement of foreign fire insurance.

### **Foreign Fire Insurance “Active Firefighters” – S.500 (Breslin)/A.1109 (Paulin)**

- Requires proportional distribution of 2% monies to the number of “active members.”
- “Active member” shall mean a member who participates in firefighting and is subject to call for whatever duties may be assigned to him or her under the rules and regulations of the fire department or company of which he or she is a member.

### **Prohibit Diminishing Retiree Health Insurance – S.5030 (Lanza)**

- This legislation would prohibit state and local governments from diminishing the health insurance benefits of retirees below the level of benefits that are in place 30 days after this act shall become law.
- Currently, Chapter 729 of the laws of 1994, as amended by Chapter 22 of the Laws of 2007 and the laws of 2009, prohibits school districts and BOCES from diminishing retiree health insurance benefits, unless there is a parallel diminution affecting active employees. There is no existing law protecting health insurance benefits of retirees from local governments.
- This bill merely requires the State to continue the level of benefits which it is now providing.

### **State Aid to Towns based on Tax Exempt Properties – A.5219 (Gunther)**

- This legislation would create a new category of state aid to certain cities, towns, villages, or fire districts who are adversely affected based on the amount of tax exempt property in the jurisdiction. To be eligible, certain cities, towns, villages, or fire districts must have at least thirty-five percent of their real property exempt from taxation. Funds would be allocated by formula, with fifty percent distributed on the basis of population and the other fifty percent allocated by the amount of tax exempt property.
- The concentration of governmental, institutional and other non-profit uses deprives the town governments of a major portion of their potential property tax revenue, while increasing the burden on town services.