

**JOINT BUDGET HEARING  
FY2025 NYS EXECUTIVE BUDGET  
PUBLIC PROTECTION**

***Written Testimony Submission***

Ed Tase, Jr.

President of the Firefighters Association of the State of New York

Timothy Hannigan

General Counsel of the Firefighters Association of the State of New York

**January 25, 2024**



FASNY is the voice of New York State's 80,000 volunteer firefighters and ambulance workers. It is an honor and privilege to offer testimony for your consideration on behalf of the volunteer first responders of this great state, all of whom are grateful for your collective partnership and all that you do here in the Legislature to keep New Yorkers safe.

FASNY has informed, educated, and trained the volunteer fire service since 1872 and advocates for New York's volunteer firefighters and ambulance workers in both Albany and on the national level, working hand in hand with elected representatives to enact critical legislation to protect communities and first responders.

We offer this testimony to lend our voice to the important conversations taking place on matters affecting public safety and specifically volunteer firefighters and ambulance personnel in this year's budget.

Establishing emergency medical response services as essential has been widely seen as a necessary first step to ensuring long-overdue adequate funding for EMS. This budget includes language to establish that important distinction, and we applaud it. However, notably absent from the measures to benefit the EMS system in New York State in this budget is a needed increase in the tax credit provided to volunteer ambulance workers. The Volunteer Firefighter and Ambulance Worker Income Tax Credit was first enacted 18 years ago in the FY 2007 budget. The \$200 income tax credit was viewed at that time as appropriate recognition by the State for the sacrifice made by volunteer first responders. Those sacrifices include spending weekends and evenings away at training, forgoing family obligations at a moment's notice, and willingly placing themselves in harm's way for the betterment of New York as a whole. An increase to this critical recruitment and retention tax credit is long overdue and should be acted upon by this body.

In addition to an increase in the tax credit, a zero-cost change to help volunteer firefighters and ambulance personnel would be the removal of an arbitrary prohibition in Tax Law § 660 (e-1) (2) on volunteers being able to claim the tax credit and a locally granted 10% real property tax exemption under Real Property Tax Law § 466-a. There is no justification, from our research, as to why this prohibition was included to the Tax Law. We ask that you remove this prohibition to enable municipalities to reward their volunteers as they see fit, without forcing forfeiture of an income tax credit.

This budget has many mentions of helping New Yorkers keep up with the rising cost of living - but not for first responders. FASNY completed an economic [study](#) last year, which found the volunteer fire service in this state saves taxpayers \$4.7 billion annually. This tremendous cost savings warrants a better benefit for our members. With recruitment and retention being an existential problem for both volunteer fire and EMS, increasing this income tax credit would be a meaningful tool to getting new recruits, and keeping experienced ones.

The Association also supports the Executive's inclusion of measures to reduce fatal fires, to outlaw non-certified and dangerous micromobility devices from our streets, and to ensure first responders have access to Peer-to-Peer support networks to better cope with occupational trauma.

FASNY supports the addition of a sales tax exemption for home life safety products to the initiative presented to reduce fatal fires in the state, a measure long called for by specifically Senator Thomas and AM Wallace. Through the first quarter of 2023, New York State led the nation in residential fire deaths, a grim statistic the state has unfortunately held in previous years as well. As such, it is incredibly encouraging to see it addressed by the Executive and DHSES in this year's budget. The proposed funding for Fire Action Teams to investigate causes of fatal fires and make recommendations is a commendable and worthwhile approach. The Association feels this measure, which we believe will eventually reduce fatal fires in the state, should be coupled with measures that will have a more immediate impact. We have long advocated the state should cease collection of sales tax on smoke alarms and fire extinguishers. Doing so could be the difference between someone

purchasing these items or leaving them on the shelf. Further, it sends the wrong message in a state committed to saving more lives from a terrible, and preventable, death. Just like food and medicine, home life safety products are a necessity, not a luxury. It also would present the opportunity to increase public awareness about these products, an initiative we would be honored to partner with the State to publicize.

Lastly on this point, we have learned of a push for the State to exempt battery energy storage equipment, and while this may help the state meet its CLCPA goals, battery energy storage systems have been identified by FEMA as an “emerging hazard”. Battery fires are especially dangerous to first responders on the scene, as they can experience thermal runaway which causes them to release very hot flammable, toxic gases. If these systems are potentially receiving a sales tax exemption, then the alarms which would warn homeowners of these toxic flames should also be exempt.

FASNY supports the efforts that have been taken in this budget to compel both manufacturers and the micromobility industry to be partners in public safety. Proper regulation of sales, resales, and repairs bolster public safety and help protect our first responders as well as the public.

Inevitably, no matter how many preventative steps we take, both FASNY and our brothers and sisters in the paid fire service know that there will always be fires that need to be responded to – and we stand ready and willing to do so with the bravest from around this great state. Each fire is a unique response – but one factor that remains consistent across the spectrum of fire responses is the need for well-trained firefighters. Effective and up-to-date training is critical for the safety of both the responders and those in need of rescue. FASNY was pleased to see funding for volunteer firefighter training prioritized by the Legislature in the budget last year, and funded again this year, and we hope that this funding grows into the future. The ever-evolving emergency response issues lithium-ion batteries present are a perfect example of why ongoing and enhanced training is critical to keeping up with the world we live in and the fires we respond to. Firefighting is always a race against the clock, and the nature by which lithium-ion batteries burn gives these fires a distinct advantage over first responders. We need to be better equipped to address them.

The dangers of lithium-ion batteries are increasingly demonstrated by the proliferation of e-bikes and e-scooters in our communities. Since the use of these devices was authorized in New York State in 2020, they have become almost ubiquitous within the delivery sector in New York City and other urban centers and continue to gain popularity throughout the rest of the state as recreational devices as well. The Executive Budget includes language, TED Part GG, to address the increasing safety concerns around these devices – or more specifically the lithium-ion batteries that power them.

While lithium-ion batteries are not solely responsible for our high number of fire deaths this past year, these batteries have been responsible for high-profile incidents that consistently highlight the unique nature of the fires associated with them and what it takes to effectively contain battery-related fires. As the highest concentration of these micro mobility devices and lithium-ion related battery related fires have taken place in the New York City Metropolitan Area, the FDNY has rightfully been the leader in this space, sounding the alarm on the dangers these batteries can pose to public safety when incorrectly stored or repaired – the consequences of which can and have been devastating. As such, FASNY lends our support to our brothers and sisters in the FDNY as they grapple with this multifaceted issue. Like the FDNY, FASNY understands that for many individuals these devices are a critical part of their livelihood, but that fact must be balanced with ensuring the safety of the public and our first responders through responsible, well-crafted legislation like the budget proposal to ensure devices sold across the state meet minimum safety standards and enactment of penalties for violations. Together with our brother and sisters in the FDNY and the tens of thousands of other firefighters and EMS personnel around the state, FASNY believes that we can work with this esteemed body to

find solutions that balance the safety of first responders and the public with the utility that lithium-ion batteries provide.

Fire safety starts at home, and one of the first best lines of defense against residential fires is in fact the simplest – prevent them from starting. At the local level, this task is accomplished through code enforcement, which ensures that buildings throughout our state are code compliant. Code enforcement funding is critical and should be supported and funded, not cut, or “swept” into the general fund as the State Finance Law § 54-G funding continues to be year after year. Code enforcement must be prioritized by this state for any number of the safe storage measures that have been introduced to be effective.

Also included in the Governor’s Executive Budget Proposal is \$2 million for the NYS Office of Mental Health to help organizations which work with first responders to prevent suicide, train peers to help one another when experiencing mental crises, and other mental health supports and services for all different types of first responders. Peer to Peer support programs have been appropriately lauded for their success, notably the Dwyer Vet-to-Vet program that has been a fantastic resource in the fight against Post-Traumatic Stress Disorder. We commend the Governor for including this measure, and hope it enjoys the same levels of success as the Dwyer program.

While taking steps to improve the health of first responders, the budget also advances measures that would benefit the health of New Yorkers as a whole. EMS in this state is in crisis. The volunteer ambulance services in this state specifically are facing extinction. FASNY commends New York for recent measures to address this issue, namely, allowing volunteer ambulance services to recover costs from insurance for services provided, and enabling the check cut by insurance to be sent directly back to the EMS provider. The inclusion of cost recovery in the FY 2023 Final Enacted Budget was a long-fought victory, but we would urge New York to remove the enacted sunset clause for 2026 that was included. It is hindering the program’s success by discouraging EMS providers to enact cost recovery mechanisms, due to the threat of it being all for naught in two years.

Thank you for the opportunity to submit testimony. FASNY looks forward to our continued partnership in service of the residents and first responders of this state.