

STATE OF NEW YORK

6727

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. BUTTENSCHON -- read once and referred to the Committee on Local Governments

AN ACT to amend chapter 639 of the laws of 1970 incorporating the Oriskany Volunteer Exempt Firemen's Association of Oriskany, county of Oneida, and providing for its powers and duties, in relation to the name and purposes of such association

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

1 Section 1. Sections 1, 2, 3, and 7 of chapter 639 of the laws of 1970
2 incorporating the Oriskany Volunteer Exempt Firemen's Association of
3 Oriskany, county of Oneida, and providing for its powers and duties is
4 amended to read as follows:

5 Section 1. Incorporation; membership. A membership corporation by the
6 name of "Oriskany Volunteer Exempt [~~Firemen's~~ Firefighters' Benevolent
7 Association of Oriskany, county of Oneida" is hereby created. It shall
8 be composed of such persons eligible to membership therein as hereinaft-
9 er provided as shall: (a) notify the secretary of the Oriskany Independ-
10 ent Fire and Hose Company, also known as Oriskany Volunteer Fire Depart-
11 ment, in writing prior to the organization meeting of such corporation
12 hereinafter provided of their desire to become members, or (b) shall
13 attend such meeting or an adjournment thereof, and also such persons so
14 eligible as may become members of such corporation pursuant to its
15 by-laws.

16 § 2. Persons eligible to membership. All persons who are now or have
17 been, or who hereafter shall be active volunteer members of the Oriskany
18 Independent Fire and Hose Company, also known as Oriskany Volunteer
19 Fire Department, and who have heretofore acquired or shall hereafter
20 acquire the status of exempt volunteer [~~firemen~~ firefighters as defined
21 in section two hundred of the general municipal law or any other appli-
22 cable law by virtue of having rendered service in said fire department,
23 and all persons who are now or hereafter shall be active volunteer

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

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1 members of said fire department shall be eligible for membership in the
2 corporation hereby created; provided that any person who has been
3 expelled or removed for cause from membership in any fire department or
4 company shall not be eligible to membership in such corporation. The
5 membership of any person in such corporation shall terminate when ~~[his]~~
6 their membership as an active volunteer member of the Oriskany Independ-
7 ent Fire and Hose Company, also known as Oriskany Volunteer Fire Depart-
8 ment shall terminate before such persons shall have acquired the status
9 of exempt volunteer ~~[firemen]~~ firefighters as defined in section two
10 hundred of the general municipal law by virtue of having rendered
11 services to such fire department.

12 § 3. Purposes. The purposes of such corporation shall be the mainte-
13 nance of suitable headquarters for, and the promotion of fraternal
14 intercourse among the members of such corporation, the relief, aid and
15 assistance of such members and their families who are injured, disabled
16 or indigent and to promote and safeguard the welfare of the volunteer
17 members of the corporation and their families, to provide for the health
18 and safety of the volunteer members of the corporation, and to enhance
19 the morale of the volunteer members of the corporation by providing
20 social and recreational activities for the volunteer members of the
21 corporation and to acquire real and personal property such as may be
22 necessary for the purposes herein set forth and the promotion of the
23 welfare of the volunteer fire service within the village of Oriskany and
24 also within the territory provided with fire protection by the Oriskany
25 Independent Fire and Hose Company, also known as Oriskany Volunteer Fire
26 Department.

27 § 7. Precept for payment of foreign fire insurance premium taxes.
28 Notwithstanding any contrary provisions of any general, special or local
29 law, or of any city charter or ordinance, heretofore or hereafter
30 enacted, such corporation shall collect and there shall be paid to it
31 all taxes imposed by former section five hundred fifty-three of the
32 insurance law for fire department use and benefit, upon premises for
33 insurance against loss or damage by fire covering property situated
34 within the village of Oriskany, New York, located in the town of Whites-
35 town, county of Oneida and state of New York, and/or within any duly
36 organized territory in which the Oriskany Independent Fire and Hose
37 Company, also known as Oriskany Volunteer Fire Department, is or may be
38 obligated to render fire protection. The officer of said corporation
39 designated by its by-laws to collect and receive the aforesaid tax shall
40 have all the powers and be subject to all the provisions of the insur-
41 ance law, relating to the treasurer of fire departments. Such corpo-
42 ration shall also be entitled to receive a share of the tax imposed by
43 former section five hundred fifty-four of the insurance law, based upon
44 the business written in the territory with respect to which it is enti-
45 tled to collect and receive the tax under former section five hundred
46 fifty-three of the insurance law. ~~[Such taxes shall only be used for the~~
47 ~~care and relief of disabled or indigent volunteer and exempt volunteer~~
48 ~~firemen and their families.]~~

49 § 2. This act shall take effect immediately.