

STATE OF NEW YORK

6727--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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,

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

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

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

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

50 § 2. This act shall take effect immediately; provided, however, that
51 the amendments to section 7 of chapter 639 of the laws of 1970 made by
52 section one of this act shall apply to taxes due on premiums received on
53 and after January 1, 2024.