

STATE OF NEW YORK

6727--C

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 -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, 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 hereinafter
9 provided as shall: (a) notify the secretary of the Oriskany Independent
10 Fire and Hose Company, also known as Oriskany Volunteer Fire Department,
11 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

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

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

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

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

53 § 2. This act shall take effect immediately.