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2009-2010 Regular Sessions

I N S E N A T E

January 22, 2009

Introduced by Sen. KRUGER -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the real property tax law, in relation to establishing the dates for veterans alternative exemptions for veterans serving in operations in Lebanon, Grenada, Panama, and the Persian Gulf

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraphs (a) and (e) of subdivision 1 of section 458-a
2 of the real property tax law, paragraph (a) as amended by chapter 179 of
3 the laws of 2006, paragraph (e) as amended by chapter 384 of the laws of
4 2008, are amended to read as follows:

5 (a) "Period of war" means (I) the Spanish-American war; (II) the Mexi-
6 can border period; (III) World War I; (IV) World War II; (V) the hostil-
7 ities, known as the Korean war, which commenced June twenty-seventh,
8 nineteen hundred fifty and terminated on January thirty-first, nineteen
9 hundred fifty-five; (VI) the hostilities, known as the Vietnam war,
10 which commenced February twenty-eighth, nineteen hundred sixty-one and
11 terminated on May seventh, nineteen hundred seventy-five; (VII) OPER-
12 ATIONS IN LEBANON FROM JUNE FIRST, NINETEEN HUNDRED EIGHTY-THREE TO
13 DECEMBER FIRST, NINETEEN HUNDRED EIGHTY-SEVEN; (VIII) OPERATIONS IN
14 GRENADA FROM OCTOBER TWENTY-THIRD, NINETEEN HUNDRED EIGHTY-THREE TO
15 NOVEMBER TWENTY-FIRST, NINETEEN HUNDRED EIGHTY-THREE; (IX) OPERATIONS IN
16 PANAMA FROM DECEMBER TWENTIETH, NINETEEN HUNDRED EIGHTY-NINE TO JANUARY
17 THIRTY-FIRST, NINETEEN HUNDRED NINETY; and (X) the hostilities, known as
18 the Persian Gulf conflict, which commenced August second, nineteen
19 hundred ninety.

20 (e) "Veteran" means a person (i) who served in the active military,
21 naval, or air service during a period of war ENUMERATED IN ANY OF
22 SUBPARAGRAPHS (I), (II), (III), (IV), (V), (VI), OR (X) OF PARAGRAPH (A)
23 OF THIS SUBDIVISION, AND WHO WAS DISCHARGED OR RELEASED THEREFROM UNDER

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

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1 HONORABLE CONDITIONS, or (II) who SERVED IN THE MILITARY, NAVAL, OR AIR
2 SERVICE DURING A PERIOD OF WAR ENUMERATED IN ANY OF SUBPARAGRAPHS (VII),
3 (VIII), OR (IX) OF PARAGRAPH (A) OF THIS SUBDIVISION AND was a recipient
4 of the armed forces expeditionary medal, navy expeditionary medal,
5 marine corps expeditionary medal FOR PARTICIPATION IN ANY SUCH OPERATION
6 ENUMERATED IN SUCH SUBPARAGRAPHS (VII), (VIII), OR (IX), or WHO SERVED
7 IN THE GLOBAL WAR ON TERRORISM AND WAS A RECIPIENT OF THE global war on
8 terrorism expeditionary medal, and who was discharged or released there-
9 from under honorable conditions, [(ii)] (III) who was employed by the
10 War Shipping Administration or Office of Defense Transportation or their
11 agents as a merchant seaman documented by the United States Coast Guard
12 or Department of Commerce, or as a civil servant employed by the United
13 States Army Transport Service (later redesignated as the United States
14 Army Transportation Corps, Water Division) or the Naval Transportation
15 Service; and who served satisfactorily as a crew member during the peri-
16 od of armed conflict, December seventh, nineteen hundred forty-one, to
17 August fifteenth, nineteen hundred forty-five, aboard merchant vessels
18 in oceangoing, i.e., foreign, intercoastal, or coastwise service as such
19 terms are defined under federal law (46 USCA 10301 & 10501) and further
20 to include "near foreign" voyages between the United States and Canada,
21 Mexico, or the West Indies via ocean routes, or public vessels in ocean-
22 going service or foreign waters and who has received a Certificate of
23 Release or Discharge from Active Duty and a discharge certificate, or an
24 Honorable Service Certificate/Report of Casualty, from the department of
25 defense, [(iii)] (IV) who served as a United States civilian employed by
26 the American Field Service and served overseas under United States
27 Armies and United States Army Groups in world war II during the period
28 of armed conflict, December seventh, nineteen hundred forty-one through
29 May eighth, nineteen hundred forty-five, and who was discharged or
30 released therefrom under honorable conditions, [(iv)] (V) who served as
31 a United States civilian Flight Crew and Aviation Ground Support Employ-
32 ee of Pan American World Airways or one of its subsidiaries or its
33 affiliates and served overseas as a result of Pan American's contract
34 with Air Transport Command or Naval Air Transport Service during the
35 period of armed conflict, December fourteenth, nineteen hundred forty-
36 one through August fourteenth, nineteen hundred forty-five, and who was
37 discharged or released therefrom under honorable conditions, or [(v)]
38 (VI) notwithstanding any other provision of law to the contrary, who are
39 members of the reserve components of the armed forces of the United
40 States who received an honorable discharge or release therefrom under
41 honorable conditions, but are still members of the reserve components of
42 the armed forces of the United States provided that such members meet
43 all other qualifications under the provisions of this section.

44 S 2. This act shall take effect immediately.