

5255

2013-2014 Regular Sessions

I N A S S E M B L Y

February 21, 2013

Introduced by M. of A. TENNEY, MONTESANO, SALADINO, STEVENSON, KATZ, HAWLEY, McDONOUGH, GIGLIO, BLANKENBUSH, MALLIOTAKIS, LOSQUADRO, GRAF, BRINDISI, LALOR -- Multi-Sponsored by -- M. of A. BARCLAY, CROUCH, McLAUGHLIN, PALMESANO, REILICH -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend the benevolent orders law, the general municipal law, the general city law, the military law and the real property tax law, in relation to declaring the Vietnam Veterans of America to be a benevolent order and granting such organization various benefits available to specified veterans' organizations

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

1 Section 1. Section 2 of the benevolent orders law is amended by adding
2 a new subdivision 59 to read as follows:
3 59. THE VIETNAM VETERANS OF AMERICA, OR ANY SUBORDINATE CHAPTER THEREOF,
4 WHICH IS DULY CHARTERED BY AND INSTITUTED ACCORDING TO THE CONSTITUTION
5 AND LAWS OF THAT ORGANIZATION.
6 S 2. Section 7 of the benevolent orders law is amended by adding a new
7 subdivision 16-i to read as follows:
8 16-I. ANY NUMBER OF CHARTERS OF THE VIETNAM VETERANS OF AMERICA,
9 CHARTERED AND INSTALLED ACCORDING TO THE REGULATIONS OF THAT ORGANIZATION;
10 TION;
11 S 3. Subdivision 1 of section 77 of the general municipal law, as
12 amended by chapter 1013 of the laws of 1969, is amended to read as
13 follows:
14 1. A municipal corporation may lease, for not exceeding five years, to
15 a post or posts of the Grand Army of the Republic, Veterans of Foreign
16 Wars of the United States, American Legion, Catholic War Veterans, Inc.,
17 Disabled American Veterans, the Army and Navy Union, U.S.A., Marine
18 Corps League, AMVETS, American Veterans of World War II, Jewish War
19 Veterans of the United States, Inc., Italian American War Veterans of
20 the United States, Incorporated, Masonic War Veterans of the State of
21 New York, Inc., Veterans of World War I of the United States of America
22 Department of New York, Inc., Polish-American Veterans of World War II,

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

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1 Amsterdam, N.Y., Inc., Polish-American Veterans of World War II, Sche-
2 nectady, N.Y., Inc., Polish Legion of American Veterans, Inc., VIETNAM
3 VETERANS OF AMERICA or other veteran organization of honorably
4 discharged members of the armed forces of the United States or to an
5 incorporated organization or an association of either active or exempt
6 volunteer firemen, a public building or part thereof, belonging to such
7 municipal corporation, except schoolhouses in actual use as such, with-
8 out expense, or at a nominal rent, fixed by the board or council having
9 charge of such buildings and provide furniture and furnishings, and
10 heat, light and janitor service therefor, in like manner.

11 S 4. Section 13 of the general city law, as separately amended by
12 chapters 14 and 982 of the laws of 1965, is amended to read as follows:

13 S 13. Moneys for Memorial and Veterans days; how expended. The moneys
14 appropriated by a city for observance of Memorial and Veterans days
15 therein pursuant to section twelve of this chapter shall be expended
16 under the direction of a board composed of the mayor and the commanders
17 and quartermasters of the Grand Army posts, the American Legion, the
18 United Spanish War Veterans camps, the Veterans of Foreign Wars of the
19 United States, the Army and Navy Union of the United States, the Marine
20 Corps League, Inc., the Catholic War Veterans, Inc., the Italian Ameri-
21 can War Veterans of the United States, Incorporated, the Jewish War
22 Veterans of the United States and commanders and treasurers of Sons of
23 Veterans, Military Order of the Purple Heart, Inc., Disabled American
24 Veterans camps, AMVETS, American Veterans of World War II, Masonic War
25 Veterans of the State of New York, Inc., Veterans of World War I of the
26 United States of America Department of New York, Inc., Polish-American
27 Veterans of World War II, Amsterdam, N. Y., Inc., Polish-American Veter-
28 ans of World War II, Schenectady, N. Y., Inc., Polish Legion of American
29 Veterans, Inc., United Veteran's Association of America, Incorporated,
30 VIETNAM VETERANS OF AMERICA and the United Veterans Memorial and Execu-
31 tive Committee of such city. The whole amount of such money appropriated
32 or any part thereof may be spent by such board in observance of Memorial
33 and Veterans days. Bills properly verified for all claims and expendi-
34 tures arising under section twelve of this chapter or under this
35 section, shall be presented to and audited by such board and shall be
36 paid by the common council of any such city. The moneys appropriated
37 shall be raised by tax on the real and personal property liable to taxa-
38 tion in any such city in the same manner as the ordinary expenses of
39 maintaining the city government.

40 S 5. Subdivision 3 of section 24 of the military law, as amended by
41 chapter 141 of the laws of 1988, is amended to read as follows:

42 3. He is authorized to request and accept from incorporated associ-
43 ations of veterans of the different regiments, statements and informa-
44 tion duly authenticated by them, descriptive of their colors, standards
45 and battle flags, together with the number and class of arms of the
46 regiment, the date and place of muster into the service of the state and
47 also into the service of the United States, the period of service, and
48 the date and place of muster-out, the date of departure for the seat of
49 war, and the various battles and engagements and places of service,
50 including garrison duty, the time of joining brigades, corps and armies,
51 with the time and nature of the service, and the names of colonels of
52 such regiments, the names of those killed in action, including those who
53 died of wounds, and the names of those who died of disease during their
54 period of service. He is further authorized to ask the cooperation and
55 assistance of the adjutant-general of the United States, and of the
56 city, county and town authorities and officials, and of the Grand Army

1 of the Republic, the Military Order of the Loyal Legion, the United
2 Spanish War Veterans, the American Legion, the Veterans of Foreign Wars,
3 the Jewish War Veterans of the United States, Inc. , the Catholic War
4 Veterans, Inc. , the Italian American War Veterans of the United States,
5 Incorporated, the Polish Legion of American Veterans, Inc., VIETNAM
6 VETERANS OF AMERICA and of other organizations and persons in the state
7 of New York and elsewhere in the collection of such other information,
8 relics, memorials and battle flags as is contemplated by this article,
9 in order to make as complete as possible the records, history and
10 statistics of the patriotic service of the soldiers of the state during
11 the wars in which the state participated.

12 S 6. Paragraph b of subdivision 1 of section 183 of the military law,
13 as amended by chapter 141 of the laws of 1988, is amended to read as
14 follows:

15 b. On application of one or more posts or chapters of the United Span-
16 ish War Veterans, the American Legion, the Veterans of Foreign Wars of
17 the United States, the Disabled American Veterans, the AMVETS, American
18 Veterans of World War II, the Jewish War Veterans of the United States,
19 Inc., the Catholic War Veterans, Inc., the Italian American War Veterans
20 of the United States, Incorporated, the Polish Legion of American Veter-
21 ans, Inc., the Army and Navy Union of the United States of America,
22 VIETNAM VETERANS OF AMERICA, posts of the Masonic War Veterans of the
23 state of New York, Incorporated, or groups or squadrons of New York
24 Wing, Civil Air Patrol, or of incorporated associations of veterans of
25 units of the organized militia, or one or more posts or chapters of
26 organizations of sons of veterans of any war of the United States or of
27 the Reserve Officers Association of the United States, or those historic
28 military commands set forth in section two hundred forty-a of [the] this
29 chapter, approved by the officer in charge and control of the armory,
30 and by his military superiors as prescribed by regulations issued pursu-
31 ant to this chapter and under such restrictions as may be prescribed by
32 the adjutant general, the officer in charge and control of an armory
33 shall provide a proper and convenient room or rooms or other appropriate
34 space in such armory where such posts or chapters may hold regular and
35 special meetings and organizational social events of a private nature
36 without the payment of any charge or expense therefor, provided that
37 such use does not interfere with the members and units of the organized
38 militia stationed in such armory.

39 S 7. Subdivision 1 of section 452 of the real property tax law, as
40 amended by chapter 610 of the laws of 1960, is amended to read as
41 follows:

42 1. Real property owned by a corporation, association or post composed
43 of veterans of the Grand Army of the Republic, Veterans of Foreign Wars,
44 Disabled American Veterans, the United Spanish War Veterans, the Jewish
45 War Veterans of the United States, Inc., Catholic War Veterans, Inc.,
46 the American Legion, AMVETS, American Veterans of World War II, Italian
47 American War Veterans of the United States, Incorporated, Masonic War
48 Veterans of the State of New York, Incorporated, VIETNAM VETERANS OF
49 AMERICA and any other corporation or association of veterans of the
50 armed forces of the United States in any war, actually and exclusively
51 used and occupied by such corporation, association or post shall be
52 exempt from taxation and exempt from special ad valorem levies and
53 special assessments to the extent provided in section four hundred nine-
54 ty of this chapter.

55 S 8. This act shall take effect immediately.