S T A T E O F N E W Y O R K

9003

I N A S S E M B L Y

March 6, 2014

Introduced by M. of A. SCHIMEL -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to incorporate the Volunteer Exempt Firefighter's Benevolent Association of Manhasset-Lakeville and providing for its powers and duties

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

Section 1. Incorporation; membership. A not-for-profit corporation by the name of "Volunteer Exempt Firefighter's Benevolent Association of Manhasset-Lakeville" is hereby created. It shall be composed of such persons eligible to membership therein as hereinafter provided and shall (a) notify the secretary of the fire department of the Manhasset-Lakeville Fire District, a volunteer fire company, in writing prior to the organization meeting hereinafter provided for of the corporation created by this act of their desire to become members, or (b) shall attend such meeting or an adjournment thereof and signify their intention of becoming members of such corporation at such meeting, or (c) shall notify the secretary of the corporation hereby created in writing within sixty days after his election of their desire to become members thereof, and also such persons so eligible as may thereafter become members of such corporation pursuant to its by-laws.

S 2. Persons eligible for membership. All persons who are now, or have been, or hereafter shall be active volunteer members of the fire department of the Manhasset-Lakeville Fire District in the county of Nassau, and who have acquired or shall hereafter acquire the status of exempt volunteer firefighter as defined in section 200 of the general municipal law by virtue of having rendered service in the fire department of the Manhasset-Lakeville Fire District, and all persons who are now or hereafter shall be active volunteer members of the fire department of the Manhasset-Lakeville Fire District, shall be eligible for membership in the association created by this act, except that any firefighter who has been removed for cause, expelled or dropped from the rolls of the fire department of the Manhasset-Lakeville Fire District, and who has not been reinstated therein, shall not be eligible for membership in such

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

LBD14249-01-4

corporation. The membership of any person in such corporation shall terminate upon the withdrawal of such person as an active volunteer member of the fire department of the Manhasset-Lakeville Fire District prior to the actual performance by such person of five years service as an active volunteer member of the fire department of the Manhasset-Lakeville Fire District. Paid firefighters, if any, of the Manhasset-Lakeville Fire District, shall not be eligible for membership in the corporation.

S 3. Purposes. The purposes of the corporation created by this act are: to provide relief, aid and assistance to the volunteer members of such corporation who are disabled or injured in the performance of their duties, and their families; to promote and safeguard the welfare of the volunteer members of the corporation, and their families; to provide for the health and safety of the volunteer members of the corporation; and to enhance the morale of the volunteer members of the corporation by providing social and recreational activities for the volunteer members of the corporation, and the promotion of the volunteer fire service within the territory protected by such fire department of the Manhasset-Lakeville Fire District.

S 4. Powers and duties. Such corporation shall have all the powers of a not-for-profit corporation, and the provisions of law relating to not-for-profit corporations shall apply to such corporation except where they conflict with the provisions of this act.

S 5. Organization meeting; by-laws. The secretary of the Manhasset-Lakeville Fire District shall call a meeting for the organization of such corporation to be held not later than sixty days after this act takes effect, notice of which shall be given by the secretary by posting or causing to be posted a notice thereof in five conspicuous places within the territory protected by the Manhasset-Lakeville Fire District and also by publication of notice thereof in one or more newspapers having a general circulation within such territory, and such posting and publication shall be effected at least ten days prior to the date of such meeting. At such meeting or any adjournment thereof, the members of such corporation present shall adopt by-laws and elect officers and directors to serve until the first annual meeting which shall be held on a date to be fixed by the by-laws. Any member failing to comply with the by-laws, rules or regulations duly adopted by such corporation shall be subject to suspension and expulsion in such manner as may be provided for in such by-laws. Any member, who ceases to be such, voluntarily or otherwise, shall forfeit all interest in the property of such corporation.

S 6. Control and disposal of funds and property. The control and disposal of the funds and property of the said corporation, the exercise of its powers, and the management and control of its affairs, except as hereinafter provided, shall be vested in and exercised by a board of directors which shall consist of no less than four members of the corporation, to wit: the president, the vice-president, the secretary and treasurer. Such officers and directors shall be elected at the annual meeting of such corporation in the manner prescribed by its by-laws.

S 7. Receipt of payments of foreign fire insurance corporations. The payments made by foreign fire insurance corporations based on the amount of premiums for fire insurance upon property situated within the corporate limits of the Manhasset-Lakeville Fire District as provided in sections 9104 and 9105 of the insurance law and any amendments thereto, shall be paid to the corporation, and the corporation shall be entitled to receive the same. Paid firefighters, if any, of the Manhasset-Lake-

ville Fire District shall not be eligible for membership in the corporation and shall not be entitled to receipt of the funds of the corporation or from such sections 9104 or 9105.

S 8. This act shall take effect immediately.