

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:

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

15 S 2. Persons eligible for membership. All persons who are now, or have
16 been, or hereafter shall be active volunteer members of the fire department
17 of the Manhasset-Lakeville Fire District in the county of Nassau,
18 and who have acquired or shall hereafter acquire the status of exempt
19 volunteer firefighter as defined in section 200 of the general municipal
20 law by virtue of having rendered service in the fire department of the
21 Manhasset-Lakeville Fire District, and all persons who are now or hereafter
22 shall be active volunteer members of the fire department of the
23 Manhasset-Lakeville Fire District, shall be eligible for membership in
24 the association created by this act, except that any firefighter who has
25 been removed for cause, expelled or dropped from the rolls of the fire
26 department of the Manhasset-Lakeville Fire District, and who has not
27 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.

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1 corporation. The membership of any person in such corporation shall
2 terminate upon the withdrawal of such person as an active volunteer
3 member of the fire department of the Manhasset-Lakeville Fire District
4 prior to the actual performance by such person of five years service as
5 an active volunteer member of the fire department of the Manhasset-Lake-
6 ville Fire District. Paid firefighters, if any, of the Manhasset-Lake-
7 ville Fire District, shall not be eligible for membership in the corpo-
8 ration.

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

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

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

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

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

1 ville Fire District shall not be eligible for membership in the corpo-
2 ration and shall not be entitled to receipt of the funds of the corpo-
3 ration or from such sections 9104 or 9105.
4 S 8. This act shall take effect immediately.