

6101

2015-2016 Regular Sessions

I N   A S S E M B L Y

March 16, 2015

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Introduced by M. of A. KAMINSKY, DenDEKKER -- 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; and to amend the public buildings law, in relation to setting aside space in the capitol for use as quarters of the Vietnam Veterans of America

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 THERE-  
4 EOF, 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

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

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

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

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

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

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

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

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

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

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

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

1 S 8. The public buildings law is amended by adding a new section 5-b  
2 to read as follows:  
3 S 5-B. QUARTERS FOR VIETNAM VETERANS OF AMERICA. THERE SHALL BE SET  
4 ASIDE, WHEN AVAILABLE, SUITABLY FURNISHED SPACE BY THE COMMISSIONER OF  
5 GENERAL SERVICES, IN THE CAPITOL, FOR THE USE AS QUARTERS OF THE VIETNAM  
6 VETERANS OF AMERICA, NEW YORK STATE COUNCIL, IN THE TRANSACTION OF ITS  
7 BUSINESS AND PRESERVATION OF ITS RECORDS. SUCH QUARTERS SHALL BE UNDER  
8 THE CHARGE OF THE PRESIDENT OF THE VIETNAM VETERANS OF AMERICA, NEW YORK  
9 STATE COUNCIL, AND SUCH OFFICERS WHO ARE MEMBERS OF SUCH ORGANIZATION AS  
10 HIS OR HER SUCCESSOR MAY APPOINT.  
11 S 9. This act shall take effect immediately.