

4283

2015-2016 Regular Sessions

I N S E N A T E

March 11, 2015

Introduced by Sen. MURPHY -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

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 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

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

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

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

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

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

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

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

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

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

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

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

1 special assessments to the extent provided in section four hundred nine-
2 ty of this chapter.

3 S 8. The public buildings law is amended by adding a new section 5-b
4 to read as follows:

5 S 5-B. QUARTERS FOR VIETNAM VETERANS OF AMERICA. THERE SHALL BE SET
6 ASIDE, WHEN AVAILABLE, SUITABLY FURNISHED SPACE BY THE COMMISSIONER OF
7 GENERAL SERVICES, IN THE CAPITOL, FOR THE USE AS QUARTERS OF THE VIETNAM
8 VETERANS OF AMERICA, NEW YORK STATE COUNCIL, IN THE TRANSACTION OF ITS
9 BUSINESS AND PRESERVATION OF ITS RECORDS. SUCH QUARTERS SHALL BE UNDER
10 THE CHARGE OF THE PRESIDENT OF THE VIETNAM VETERANS OF AMERICA, NEW YORK
11 STATE COUNCIL, AND SUCH OFFICERS WHO ARE MEMBERS OF SUCH ORGANIZATION AS
12 HIS OR HER SUCCESSOR MAY APPOINT.

13 S 9. This act shall take effect immediately.