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

6101

2015-2016 Regular Sessions

I N A S S E M B L Y

March 16, 2015

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:

Section 1. Section 2 of the benevolent orders law is amended by adding a new subdivision 59 to read as follows:

59. THE VIETNAM VETERANS OF AMERICA, OR ANY SUBORDINATE CHAPTER THEREOF, WHICH IS DULY CHARTERED BY AND INSTITUTED ACCORDING TO THE CONSTITUTION AND LAWS OF THAT ORGANIZATION.

S 2. Section 7 of the benevolent orders law is amended by adding a new subdivision 16-i to read as follows:

16-I. ANY NUMBER OF CHARTERS OF THE VIETNAM VETERANS OF AMERICA, CHARTERED AND INSTALLED ACCORDING TO THE REGULATIONS OF THAT ORGANIZATION;

S 3. Subdivision 1 of section 77 of the general municipal law, as amended by chapter 1013 of the laws of 1969, is amended to read as follows:

1. A municipal corporation may lease, for not exceeding five years, to a post or posts of the Grand Army of the Republic, Veterans of Foreign Wars of the United States, American Legion, Catholic War Veterans, Inc., Disabled American Veterans, the Army and Navy Union, U.S.A., Marine Corps League, AMVETS, American Veterans of World War II, Jewish War Veterans of the United States, Inc., Italian American War Veterans of 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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New York, Inc., Veterans of World War I of the United States of America Department of New York, Inc., Polish-American Veterans of World War II, Amsterdam, N.Y., Inc., Polish-American Veterans of World War II, Schenectady, N.Y., Inc., Polish Legion of American Veterans, Inc., VIETNAM VETERANS OF AMERICA or other veteran organization of honorably discharged members of the armed forces of the United States or to an incorporated organization or an association of either active or exempt volunteer firemen, a public building or part thereof, belonging to such municipal corporation, except schoolhouses in actual use as such, without expense, or at a nominal rent, fixed by the board or council having charge of such buildings and provide furniture and furnishings, and heat, light and janitor service therefor, in like manner.

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

S 13. Moneys for Memorial and Veterans days; how expended. The moneys appropriated by a city for observance of Memorial and Veterans days therein pursuant to section twelve of this chapter shall be expended under the direction of a board composed of the mayor and the commanders and quartermasters of the Grand Army posts, the American Legion, the United Spanish War Veterans camps, the Veterans of Foreign Wars of the United States, the Army and Navy Union of the United States, the Marine Corps League, Inc., the Catholic War Veterans, Inc., the Italian American War Veterans of the United States, Incorporated, the Jewish War Veterans of the United States and commanders and treasurers of Sons of Veterans, Military Order of the Purple Heart, Inc., Disabled American Veterans camps, AMVETS, American Veterans of World War II, Masonic War Veterans of the State of New York, Inc., Veterans of World War I of the United States of America Department of New York, Inc., Polish-American Veterans of World War II, Amsterdam, N. Y., Inc., Polish-American Veterans of World War II, Schenectady, N. Y., Inc., Polish Legion of American Veterans, Inc., United Veteran's Association of America, Incorporated, VIETNAM VETERANS OF AMERICA and the United Veterans Memorial and Executive Committee of such city. The whole amount of such money appropriated or any part thereof may be spent by such board in observance of Memorial and Veterans days. Bills properly verified for all claims and expenditures arising under section twelve of this chapter or under this section, shall be presented to and audited by such board and shall be paid by the common council of any such city. The moneys appropriated shall be raised by tax on the real and personal property liable to taxation in any such city in the same manner as the ordinary expenses of maintaining the city government.

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

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

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

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

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

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

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

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

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

S 9. This act shall take effect immediately.