

# STATE OF NEW YORK

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4216--B

Cal. No. 1213

2019-2020 Regular Sessions

## IN SENATE

March 4, 2019

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Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged and said bill committed to the Committee on Rules -- ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend chapter 383 of the laws of 1945 to incorporate the Fairview Firemen's Benevolent Association of the town of Greenburgh, county of Westchester, New York, and providing for the payment to such corporation of a portion of the taxes imposed by section five hundred fifty-three and five hundred fifty-four of the insurance law, in relation to the usage of moneys received from foreign fire insurance companies

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 1 of chapter 383 of the laws of 1945 to incorpo-  
2 rate the Fairview Firemen's Benevolent Association of the town of Green-  
3 burgh, county of Westchester, New York, and providing for the payment to  
4 such corporation of a portion of the taxes imposed by section five  
5 hundred fifty-three and five hundred fifty-four of the insurance law, as  
6 amended by chapter 126 of the laws of 1946, is amended to read as  
7 follows:

8 Section 1. A corporation by the name of "Fairview Firemen's Benevolent  
9 Association of the town of Greenburgh, county of Westchester, New York"  
10 is hereby created. It shall be composed of all the active members of any  
11 fire engine, hose, hook and ladder, patrol or rescue company in the  
12 Fairview fire district, town of Greenburgh, Westchester county, New York  
13 and all exempt volunteer firemen as defined in section two hundred of  
14 the general municipal law, formerly members of any such fire engine,  
15 hose, hook and ladder, patrol or rescue company in such district, and  
16 who acquired such status by virtue of having rendered service in the  
17 fire department of such district. The board of trustees may admit to  
18 membership (pursuant to the by-laws of association) any exempt or volun-

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

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1 teer fireman applying therefor who is a resident of the fire district  
2 and has rendered fire service in any volunteer fire department of the  
3 state. The purposes of such corporation shall be [~~the maintenance of~~  
4 ~~suitable headquarters for the members of said corporation, the relief,~~  
5 ~~aid and assistance of the members thereof and their families, who are~~  
6 ~~disabled or indigent, and the promotion of the welfare of the volunteer~~  
7 ~~fire service in said district]~~ to provide relief, aid and assistance to  
8 the members of such corporation who are indigent, disabled or injured in  
9 the performance of their duties, and their families; to maintain a suit-  
10 able headquarters for the members of such corporation; to promote and  
11 safeguard the welfare of the members of the corporation, and their fami-  
12 lies; to provide for the health and safety of the members of the corpo-  
13 ration; and to enhance the morale of the members of the corporation by  
14 providing social and recreational activities for the members of the  
15 corporation, and the promotion of the fire service within the territory  
16 protected by the fire department. Such corporation shall have all of  
17 the powers of a membership corporation, and the provisions of law relat-  
18 ing to membership corporations shall apply to such corporation, except  
19 where they conflict with the provisions of this act. The secretary of  
20 said fire district shall call a meeting for the organization of said  
21 corporation to be held not later than July first, nineteen hundred  
22 forty-six, notice of which shall be given by posting a notice thereof in  
23 five conspicuous places within said district and also by publication  
24 thereof in one or more newspapers having a general circulation in said  
25 district, such posting and publishing to take place at least ten days  
26 prior to the date of such meeting. At such meeting, or at an adjournment  
27 thereof, the members of such corporation present shall adopt by-laws and  
28 elect officers to serve until the first annual meeting, which shall be  
29 held on a date to be fixed by the by-laws. The funds of such corpo-  
30 ration, by unanimous vote of the trustees, may be used for the relief  
31 and care of disabled or indigent active and exempt volunteer firemen of  
32 said district, even though they may not be members of such corporation.  
33 Any member failing to comply with the by-laws, rules or regulations duly  
34 adopted by said corporations shall be subject to expulsion in such  
35 manner as may be provided for in such by-laws. Any member who ceases to  
36 be such, voluntarily or otherwise, shall forfeit all interest in the  
37 property of said corporation.

38 § 2. Section 3 of chapter 383 of the laws of 1945 to incorporate the  
39 Fairview Firemen's Benevolent Association of the town of Greenburgh,  
40 county of Westchester, New York, and providing for the payment to such  
41 corporation of a portion of the taxes imposed by section five hundred  
42 fifty-three and five hundred fifty-four of the insurance law, is amended  
43 to read as follows:

44 § 3. There shall be paid to such corporation [~~for its corporate~~  
45 ~~purposes]~~ all tax imposed for the use and benefit of the fire department  
46 by sections [~~five hundred fifty-three]~~ nine thousand one hundred four  
47 and [~~five hundred fifty-four]~~ nine thousand one hundred five of the  
48 insurance law upon premiums on policies of fire-insurance covering prop-  
49 erty situated within the Fairview fire district number one, town of  
50 Greenburgh, Westchester county, New York, or within any duly organized  
51 territory in which the fire department of said district is obligated to  
52 render fire protection to be collected and used by the corporation in  
53 the furtherance of its purposes as set forth in section one of this act.

54 § 3. This act shall take effect immediately.