

STATE OF NEW YORK

4216

2019-2020 Regular Sessions

IN SENATE

March 4, 2019

Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed,
and when printed to be committed to the Committee on Local Government

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-
19 teer fireman applying therefor who is a resident of the fire district
20 and has rendered fire service in any volunteer fire department of the

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

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1 state. The purposes of such corporation shall be the maintenance of
2 suitable headquarters for the members of said corporation, [~~the relief,~~
3 ~~aid and assistance of the members thereof and their families, who are~~
4 ~~disabled or indigent,~~] and the promotion of the welfare of the volunteer
5 fire service in said district. Such corporation shall have all of the
6 powers of a membership corporation, and the provisions of law relating
7 to membership corporations shall apply to such corporation, except where
8 they conflict with the provisions of this act. The secretary of said
9 fire district shall call a meeting for the organization of said corpo-
10 ration to be held not later than July first, nineteen hundred forty-six,
11 notice of which shall be given by posting a notice thereof in five
12 conspicuous places within said district and also by publication thereof
13 in one or more newspapers having a general circulation in said district,
14 such posting and publishing to take place at least ten days prior to the
15 date of such meeting. At such meeting, or at an adjournment thereof, the
16 members of such corporation present shall adopt by-laws and elect offi-
17 cers to serve until the first annual meeting, which shall be held on a
18 date to be fixed by the by-laws. [~~The funds of such corporation, by~~
19 ~~unanimous vote of the trustees, may be used for the relief and care of~~
20 ~~disabled or indigent active and exempt volunteer firemen of said~~
21 ~~district, even though they may not be members of such corporation.~~] Any
22 member failing to comply with the by-laws, rules or regulations duly
23 adopted by said corporations shall be subject to expulsion in such
24 manner as may be provided for in such by-laws. Any member who ceases to
25 be such, voluntarily or otherwise, shall forfeit all interest in the
26 property of said corporation.

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

33 § 3. There shall be paid to such corporation [~~for its corporate~~
34 ~~purposes~~] all tax imposed for the use and benefit of the fire department
35 [~~by sections five hundred fifty-three and five hundred fifty-four of the~~
36 ~~insurance law upon premiums on policies of fire insurance covering prop-~~
37 ~~erty situated within the Fairview fire district number one, town of~~
38 ~~Greenburgh, Westchester county, New York, or within any duly organized~~
39 ~~territory in which the fire department of said district is obligated to~~
40 ~~render fire protection~~] under the provisions of the insurance law, to be
41 used in accordance with sections nine thousand one hundred four and nine
42 thousand one hundred five of the insurance law.

43 § 3. This act shall take effect immediately. Effective immediately the
44 addition, amendment or repeal of any rule or regulation necessary for
45 the implementation of this act on its effective date are authorized to
46 be made and completed on or before such date.