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:

Section 1. Section 1 of 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, as amended by chapter 126 of the laws of 1946, is amended to read as follows:

Section 1. A corporation by the name of "Fairview Firemen's Benevolent Association of the town of Greenburgh, county of Westchester, New York" is hereby created. It shall be composed of all the active members of any fire engine, hose, hook and ladder, patrol or rescue company in the Fairview fire district, town of Greenburgh, Westchester county, New York and all exempt volunteer firemen as defined in section two hundred of the general municipal law, formerly members of any such fire engine, hose, hook and ladder, patrol or rescue company in such district, and who acquired such status by virtue of having rendered service in the fire department of such district. The board of trustees may admit to membership (pursuant to the by-laws of association) any exempt or volunteer fireman applying therefor who is a resident of the fire district 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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state. The purposes of such corporation shall be the maintenance of suitable headquarters for the members of said corporation, [~~the relief, aid and assistance of the members thereof and their families, who are disabled or indigent,~~] and the promotion of the welfare of the volunteer fire service in said district. Such corporation shall have all of the powers of a membership corporation, and the provisions of law relating to membership corporations shall apply to such corporation, except where they conflict with the provisions of this act. The secretary of said fire district shall call a meeting for the organization of said corporation to be held not later than July first, nineteen hundred forty-six, notice of which shall be given by posting a notice thereof in five conspicuous places within said district and also by publication thereof in one or more newspapers having a general circulation in said district, such posting and publishing to take place at least ten days prior to the date of such meeting. At such meeting, or at an adjournment thereof, the members of such corporation present shall adopt by-laws and elect officers to serve until the first annual meeting, which shall be held on a date to be fixed by the by-laws. [~~The funds of such corporation, by unanimous vote of the trustees, may be used for the relief and care of disabled or indigent active and exempt volunteer firemen of said district, even though they may not be members of such corporation.~~] Any member failing to comply with the by-laws, rules or regulations duly adopted by said corporations shall be subject to expulsion in such manner as may be provided for in such by-laws. Any member who ceases to be such, voluntarily or otherwise, shall forfeit all interest in the property of said corporation.

§ 2. Section 3 of 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, is amended to read as follows:

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

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