

# STATE OF NEW YORK

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4216--A

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

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 incorporate  
2 rate the Fairview Firemen's Benevolent Association of the town of Greenburgh,  
3 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 volunteer members of such corporation who are indigent, disabled or  
9 injured in the performance of their duties, and their families; to main-  
10 tain a suitable headquarters for the members of such corporation; to  
11 promote and safeguard the welfare of the volunteer members of the corpo-  
12 ration, and their families; to provide for the health and safety of the  
13 volunteer members of the corporation; and to enhance the morale of the  
14 volunteer members of the corporation by providing social and recreation-  
15 al activities for the volunteer members of the corporation, and the  
16 promotion of the volunteer fire service within the territory protected  
17 by the fire department. Such corporation shall have all of the powers  
18 of a membership corporation, and the provisions of law relating to  
19 membership corporations shall apply to such corporation, except where  
20 they conflict with the provisions of this act. The secretary of said  
21 fire district shall call a meeting for the organization of said corpo-  
22 ration to be held not later than July first, nineteen hundred forty-six,  
23 notice of which shall be given by posting a notice thereof in five  
24 conspicuous places within said district and also by publication thereof  
25 in one or more newspapers having a general circulation in said district,  
26 such posting and publishing to take place at least ten days prior to the  
27 date of such meeting. At such meeting, or at an adjournment thereof, the  
28 members of such corporation present shall adopt by-laws and elect offi-  
29 cers to serve until the first annual meeting, which shall be held on a  
30 date to be fixed by the by-laws. The funds of such corporation, by unan-  
31 imous vote of the trustees, may be used for the relief and care of disa-  
32 bled or indigent active and exempt volunteer firemen of said district,  
33 even though they may not be members of such corporation. Any member  
34 failing to comply with the by-laws, rules or regulations duly adopted by  
35 said corporations shall be subject to expulsion in such manner as may be  
36 provided for in such by-laws. Any member who ceases to be such, volun-  
37 tarily or otherwise, shall forfeit all interest in the property of said  
38 corporation.

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

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

55 § 3. This act shall take effect immediately.