

STATE OF NEW YORK

4216--B

Cal. No. 1213

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 -- 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.

LBD09480-06-9

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.