STATE OF NEW YORK

8691

IN SENATE

March 30, 2022

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

AN ACT to amend the Nassau county civil divisions act, in relation to the purpose and membership of the Valley Stream Volunteer and Exempt Fireman's Benevolent Association and the use of foreign fire insurance premium taxes by such Association

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

Section 1. Sections 609.0, 609.1, 609.2, 609.5 and 609.6 of chapter 273 of the laws of 1939 constituting the Nassau county civil divisions act, as added by chapter 73 of the laws of 1940, are amended to read as follows:

§ 609.0 Incorporation; membership. a. The membership corporation by the name of "Valley Stream Volunteer and Exempt [~~Fireman's~~] Firefighter's Benevolent Association" is hereby continued.

b. It shall be composed of such persons as are now members, and also such persons eligible to become members of such corporation pursuant to its by-laws.

§ 609.1 Persons eligible to membership. All persons who are now, or have been, or who hereafter shall be volunteer members of the Valley Stream fire department, or of any fire engine, hook and ladder, patrol, emergency rescue squad or hose company in the village of Valley Stream, and all persons residing in the area afforded fire protection by such fire department, who are entitled to the general exemption of volunteer [~~firemen~~] firefighters as provided in the general municipal law, the village law or any other applicable law, shall be eligible to membership therein. Any [~~fireman~~] firefighter, however, who has been removed for cause, expelled or dropped from the rolls of any fire company or department shall not be eligible to membership in such corporation.

§ 609.2 Purposes. The purposes of such corporation shall be the maintenance of a suitable headquarters for and the promotion of fraternal intercourse among the members of such corporation, and the relief, aid and assistance of such members and their families who are disabled or indigent, and the promotion of the welfare of the volunteer fire service

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

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within the Valley Stream fire department and the territory provided with fire protection by contract with such village fire department.

§ 609.5 Control and disposal of funds and property. The control and disposal of the funds, property and estate of such association, the exercise of its powers, and the management and control of its affairs shall be vested in and exercised by a board of trustees which shall consist of [~~twelve~~] **sixteen** members of such corporation, to wit: the president, the vice-president, the financial secretary, the recording secretary, the treasurer and [~~seven~~] **eleven** other members having the title of trustee. **The sixteen members of the board shall be representative of the seven fire companies, two from each company, and two board members from the exempt members no longer active in the Valley Stream Fire Department, Inc.** Such officers and trustees shall be elected at the annual meeting of such corporation in a manner described by its by-laws.

§ 609.6 Precept for payment of foreign fire insurance premium taxes. a. Such corporation shall collect and there shall be paid to it all tax imposed by section [~~five hundred and fifty-three~~] **nine thousand one hundred four** of the insurance law, for fire department use and benefit, upon premiums on policies of insurance against loss or damage by fire covering property situated within the village of Valley Stream in the town of Hempstead, or within any duly organized territory in which the Valley Stream fire department may be obligated to render fire protection.

b. The officer of such corporation designated by its by-laws to collect and receive the aforesaid tax shall receive the same powers as provided by law for the treasurer of a fire department with respect to such collection and receipt.

c. Such corporation shall also be entitled to receive a share of the tax imposed by section [~~five hundred and fifty-four~~] **nine thousand one hundred five** of the insurance law, based upon the business written in the territory with respect to which it is entitled to collect and receive the tax under section [~~five hundred and fifty-three~~] **nine thousand one hundred four** of the insurance law.

d. Such taxes shall be used only [~~for the care and relief of disabled or indigent volunteer and exempt firemen and their families~~] **by the corporation in furtherance of its purposes as set forth in section 609.2 of this act**.

§ 2. This act shall take effect immediately.