

# STATE OF NEW YORK

6493--C

Cal. No. 1297

2023-2024 Regular Sessions

## IN SENATE

April 24, 2023

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- reported favorably from said committee, ordered to first and second report, amended on second report, ordered to a third reading, and to be reprinted as amended, retaining its place in the order of third reading -- reported favorably from said committee to third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend chapter 639 of the laws of 1970 incorporating the Oriskany Volunteer Exempt Firemen's Association of Oriskany, county of Oneida, and providing for its powers and duties, in relation to the name and purposes of such association

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

1 Section 1. Sections 1, 2, 3 and 7 of chapter 639 of the laws of 1970  
2 incorporating the Oriskany Volunteer Exempt Firemen's Association of  
3 Oriskany, county of Oneida, and providing for its powers and duties is  
4 amended to read as follows:  
5 Section 1. Incorporation; membership. A membership corporation by the  
6 name of "Oriskany Volunteer Exempt [~~Firemen's~~ **Firefighters'** Benevolent  
7 Association of Oriskany, county of Oneida" is hereby created. It shall  
8 be composed of such persons eligible to membership therein as hereinaft-  
9 er provided as shall: (a) notify the secretary of the Oriskany Independ-  
10 ent Fire and Hose Company, also known as Oriskany Volunteer Fire Depart-  
11 ment, in writing prior to the organization meeting of such corporation  
12 hereinafter provided of their desire to become members, or (b) shall  
13 attend such meeting or an adjournment thereof, and also such persons so  
14 eligible as may become members of such corporation pursuant to its  
15 by-laws.

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

LBD10811-10-3

1 § 2. Persons eligible to membership. All persons who are now or have  
2 been, or who hereafter shall be active volunteer members of the Oriskany  
3 Independent Fire and Hose Company, also known as Oriskany Volunteer  
4 Fire Department, and who have heretofore acquired or shall hereafter  
5 acquire the status of exempt volunteer [~~firemen~~ firefighters as defined  
6 in section two hundred of the general municipal law or any other appli-  
7 cable law by virtue of having rendered service in said fire department,  
8 and all persons who are now or hereafter shall be active volunteer  
9 members of said fire department shall be eligible for membership in the  
10 corporation hereby created; provided that any person who has been  
11 expelled or removed for cause from membership in any fire department or  
12 company shall not be eligible to membership in such corporation. The  
13 membership of any person in such corporation shall terminate when [~~his~~  
14 their membership as an active volunteer member of the Oriskany Independ-  
15 ent Fire and Hose Company, also known as Oriskany Volunteer Fire Depart-  
16 ment shall terminate before such persons shall have acquired the status  
17 of exempt volunteer [~~firemen~~ firefighters as defined in section two  
18 hundred of the general municipal law by virtue of having rendered  
19 services to such fire department.

20 § 3. Purposes. The purposes of such corporation shall be the mainte-  
21 nance of suitable headquarters for, and the promotion of fraternal  
22 intercourse among the members of such corporation, the relief, aid and  
23 assistance of such members and their families who are injured, disabled  
24 or indigent and to promote and safeguard the welfare of the volunteer  
25 members of the corporation and their families, to provide for the health  
26 and safety of the volunteer members of the corporation, and to enhance  
27 the morale of the volunteer members of the corporation by providing  
28 social and recreational activities for the volunteer members of the  
29 corporation and the promotion of the welfare of the volunteer fire  
30 service within the village of Oriskany and also within the territory  
31 provided with fire protection by the Oriskany Independent Fire and Hose  
32 Company, also known as Oriskany Volunteer Fire Department.

33 § 7. Precept for payment of foreign fire insurance premium taxes.  
34 Notwithstanding any contrary provisions of any general, special or local  
35 law, or of any city charter or ordinance, heretofore or hereafter  
36 enacted, such corporation shall collect and there shall be paid to it  
37 all taxes imposed by section [~~five hundred fifty three~~ nine thousand  
38 one hundred four of the insurance law for fire department use and bene-  
39 fit, upon premises for insurance against loss or damage by fire covering  
40 property situated within the village of Oriskany, New York, located in  
41 the town of Whitestown, county of Oneida and state of New York, and/or  
42 within any duly organized territory in which the Oriskany Independent  
43 Fire and Hose Company, also known as Oriskany Volunteer Fire Department,  
44 is or may be obligated to render fire protection. The officer of said  
45 corporation designated by its by-laws to collect and receive the afore-  
46 said tax shall have all the powers and be subject to all the provisions  
47 of the insurance law, relating to the treasurer of fire departments.  
48 Such corporation shall also be entitled to receive a share of the tax  
49 imposed by section [~~five hundred fifty four~~ nine thousand one hundred  
50 five of the insurance law, based upon the business written in the terri-  
51 tory with respect to which it is entitled to collect and receive the tax  
52 under section [~~five hundred fifty three~~ nine thousand one hundred four  
53 of the insurance law. [~~Such taxes shall only be used for the care and~~  
54 ~~relief of disabled or indigent volunteer and exempt volunteer firemen~~  
55 ~~and their families.] Such taxes shall only be used by the corporation in  
56 furtherance of its purposes as set forth in section three of this act.~~

1     § 2. This act shall take effect immediately; provided, however, that  
2 the amendments to section 7 of chapter 639 of the laws of 1970 made by  
3 section one of this act shall apply to taxes due on premiums received on  
4 and after January 1, 2024.