

STATE OF NEW YORK

6727--D

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. BUTTENSCHON -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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.

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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.