

# STATE OF NEW YORK

6493

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

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.

16 § 2. Persons eligible to membership. All persons who are now or have  
17 been, or who hereafter shall be active volunteer members of the Oriskany  
18 Independent Fire and Hose Company, also known as Oriskany Volunteer  
19 Fire Department, and who have heretofore acquired or shall hereafter  
20 acquire the status of exempt volunteer [~~firemen~~ **firefighters** as defined  
21 in section two hundred of the general municipal law or any other appli-  
22 cable law by virtue of having rendered service in said fire department,  
23 and all persons who are now or hereafter shall be active volunteer

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

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1 members of said fire department shall be eligible for membership in the  
2 corporation hereby created; provided that any person who has been  
3 expelled or removed for cause from membership in any fire department or  
4 company shall not be eligible to membership in such corporation. The  
5 membership of any person in such corporation shall terminate when ~~[his]~~  
6 their membership as an active volunteer member of the Oriskany Independ-  
7 ent Fire and Hose Company, also known as Oriskany Volunteer Fire Depart-  
8 ment shall terminate before such persons shall have acquired the status  
9 of exempt volunteer ~~[firemen]~~ firefighters as defined in section two  
10 hundred of the general municipal law by virtue of having rendered  
11 services to such fire department.

12 § 3. Purposes. The purposes of such corporation shall be the mainte-  
13 nance of suitable headquarters for, and the promotion of fraternal  
14 intercourse among the members of such corporation, the relief, aid and  
15 assistance of such members and their families who are injured, disabled  
16 or indigent and to promote and safeguard the welfare of the volunteer  
17 members of the corporation and their families, to provide for the health  
18 and safety of the volunteer members of the corporation, and to enhance  
19 the morale of the volunteer members of the corporation by providing  
20 social and recreational activities for the volunteer members of the  
21 corporation and to acquire real and personal property such as may be  
22 necessary for the purposes herein set forth and the promotion of the  
23 welfare of the volunteer fire service within the village of Oriskany and  
24 also within the territory provided with fire protection by the Oriskany  
25 Independent Fire and Hose Company, also known as Oriskany Volunteer Fire  
26 Department.

27 § 7. Precept for payment of foreign fire insurance premium taxes.  
28 Notwithstanding any contrary provisions of any general, special or local  
29 law, or of any city charter or ordinance, heretofore or hereafter  
30 enacted, such corporation shall collect and there shall be paid to it  
31 all taxes imposed by former section five hundred fifty-three of the  
32 insurance law for fire department use and benefit, upon premises for  
33 insurance against loss or damage by fire covering property situated  
34 within the village of Oriskany, New York, located in the town of Whites-  
35 town, county of Oneida and state of New York, and/or within any duly  
36 organized territory in which the Oriskany Independent Fire and Hose  
37 Company, also known as Oriskany Volunteer Fire Department, is or may be  
38 obligated to render fire protection. The officer of said corporation  
39 designated by its by-laws to collect and receive the aforesaid tax shall  
40 have all the powers and be subject to all the provisions of the insur-  
41 ance law, relating to the treasurer of fire departments. Such corpo-  
42 ration shall also be entitled to receive a share of the tax imposed by  
43 former section five hundred fifty-four of the insurance law, based upon  
44 the business written in the territory with respect to which it is enti-  
45 tled to collect and receive the tax under former section five hundred  
46 fifty-three of the insurance law. ~~[Such taxes shall only be used for the~~  
47 ~~care and relief of disabled or indigent volunteer and exempt volunteer~~  
48 ~~firemen and their families.]~~

49 § 2. This act shall take effect immediately.