

GREAT NEWS! The New York State legislative process hears us! If you carry a Eagles membership card in New York State, you can now go to any Aerie and are deemed a member of that Aerie. You no longer are considered a guest and can purchase items as a member. Senate Bill 4960 and Assembly Bill A7674 was signed into law by Gov Pataki on August 23, 2005. If anyone has any questions on this or other legislative issues please let me know.

Fraternally, Bob Yager, NYS Aerie Secretary

**STATUS:**

**S4960-A** WRIGHT

Alcoholic Beverage Control Law

TITLE....Provides that members of local chapters or lodges of certain not-for-profit corporations or benevolent orders shall be deemed members of other local chapters or lodges

04/18/05 REFERRED TO INVESTIGATIONS AND GOVERNMENT OPERATIONS  
05/10/05 AMEND AND RECOMMIT TO INVESTIGATIONS AND GOVERNMENT  
OPERATIONS  
05/10/05 PRINT NUMBER 4960A  
06/06/05 COMMITTEE DISCHARGED AND COMMITTED TO RULES  
06/06/05 ORDERED TO THIRD READING CAL.1371  
06/07/05 PASSED SENATE  
06/07/05 DELIVERED TO ASSEMBLY  
06/07/05 referred to economic development  
06/15/05 substituted for a7674  
06/15/05 ordered to third reading rules cal.277  
06/15/05 passed assembly  
06/15/05 returned to senate  
08/11/05 DELIVERED TO GOVERNOR  
08/23/05 SIGNED CHAP.575

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**SUMMARY:**

WRIGHT, DeFRANCISCO, JOHNSON, LARKIN, RATH, SPANO, TRUNZO, VOLKER  
Amd S3, ABC L

Provides that members of local chapters or lodges of certain not-for-profit corporations or benevolent orders (qualifying as an organization described in section 501(c)(8) or 501(c)(10) of the United States internal revenue code) shall be deemed members of other local chapters or lodges of such not-for-profit corporation or a benevolent order if they have in their possession an identification card or other proof of membership for purposes of the definition of a "club" for purposes of the alcoholic beverage control law.  
EFF. DATE 08/23/2005

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**VOTING:**

[06/07/05](#) S4960-A Senate Vote

Aye: 59 Nay: 0

06/15/05 S4960-A Assembly Vote Yes: 139 No : 2

Yes Abbate	Yes Acampora	Yes Alfano	ER Arroyo
Yes Aubertine	Yes Aubry	Yes Bacalles	Yes Barclay
Yes Barra	Yes Barraga	Yes Benedetto	Yes Benjamin
Yes Bing	Yes Boyland	Yes Bradley	Yes Brennan
Yes Brodsky	Yes Brown	Yes Burling	Yes Butler
Yes Cahill	Yes Calhoun	Yes Canestrari	Yes Carrozza
Yes Casale P	Yes Christensen	Yes Clark	Yes Cohen
Yes Colton	Yes Conte	Yes Cook	Yes Crouch
Yes Cusick	Yes Cymbrowitz	Yes DelMonte	Yes Destito
Yes Diaz L	Yes Diaz R	Yes DiNapoli	Yes Dinowitz
Yes Eddington	Yes Englebright	Yes Errigo	ER Espailat
Yes Farrell	Yes Fields	Yes Finch	Yes Fitzpatrick
Yes Galef	Yes Gantt	Yes Gianaris	Yes Glick
No Gordon	Yes Gottfried	Yes Grannis	Yes Green
Yes Greene	Yes Gunther A	Yes Hayes	Yes Heastie
Yes Hevesi	Yes Hikind	ER Hooker	Yes Hooper
Yes Hoyt	Yes Ignizio	Yes Jacobs	No John
Yes Karben	Yes Kirwan	Yes Kolb	Yes Koon
Yes Lafayette	Yes Latimer	Yes Lavelle	Yes Lavine
Yes Lentol	Yes Lifton	ER Lopez	Yes Lupardo

<b>Yes</b> Magee	<b>Yes</b> Magnarelli	<b>Yes</b> Manning	<b>Yes</b> Markey
<b>ER</b> Mayersohn	<b>Yes</b> McDonald	<b>Yes</b> McDonough	<b>Yes</b> McEneny
<b>Yes</b> McLaughlin	<b>ER</b> Meng	<b>Yes</b> Miller	<b>Yes</b> Millman
<b>Yes</b> Mirones	<b>Yes</b> Morelle	<b>Yes</b> Mosiello	<b>Yes</b> Nesbitt
<b>Yes</b> Nolan	<b>Yes</b> Norman	<b>Yes</b> Oaks	<b>Yes</b> O'Connell
<b>Yes</b> O'Donnell	<b>Yes</b> O'Mara	<b>Yes</b> Ortiz	<b>Yes</b> Ortloff
<b>Yes</b> Parment	<b>Yes</b> Paulin	<b>Yes</b> Peoples	<b>Yes</b> Peralta
<b>Yes</b> Perry	<b>Yes</b> Pheffer	<b>Yes</b> Powell	<b>Yes</b> Pretlow
<b>Yes</b> Quinn	<b>Yes</b> Rabbitt	<b>Yes</b> Raia	<b>Yes</b> Ramos
<b>Yes</b> Reilich	<b>Yes</b> Reilly	<b>ER</b> Rivera J	<b>ER</b> Rivera N
<b>Yes</b> Rivera P	<b>Yes</b> Robinson	<b>Yes</b> Saladino	<b>Yes</b> Sanders
<b>Yes</b> Sayward	<b>Yes</b> Scarborough	<b>Yes</b> Schimminger	<b>Yes</b> Schroeder
<b>Yes</b> Scozzafava	<b>Yes</b> Seddio	<b>Yes</b> Seminerio	<b>Yes</b> Stephens
<b>Yes</b> Stringer	<b>Yes</b> Sweeney	<b>Yes</b> Tedisco	<b>Yes</b> Thiele
<b>Yes</b> Titus	<b>Yes</b> Tokasz	<b>Yes</b> Tonko	<b>Yes</b> Towns
<b>Yes</b> Townsend	<b>Yes</b> Walker	<b>Yes</b> Weinstein	<b>Yes</b> Weisenberg
<b>Yes</b> Weprin	<b>Yes</b> Wirth	<b>Yes</b> Wright	<b>Yes</b> Zebrowski
<b>Yes</b> Mr. Speaker			

06/07/05 S4960-A Senate Vote Aye: 59 Nay: 0

<b>Aye</b> Alesi	<b>Exc</b> Andrews	<b>Aye</b> Balboni	<b>Aye</b> Bonacic
<b>Aye</b> Breslin	<b>Aye</b> Brown	<b>Aye</b> Bruno	<b>Aye</b> Connor
<b>Aye</b> DeFrancisco	<b>Aye</b> Diaz	<b>Aye</b> Dilan	<b>Aye</b> Duane
<b>Aye</b> Farley	<b>Aye</b> Flanagan	<b>Aye</b> Fuschillo	<b>Aye</b> Golden
<b>Aye</b> Gonzalez	<b>Aye</b> Hannon	<b>Exc</b> Hassell- Thompson	<b>Aye</b> Johnson
<b>Aye</b> Klein	<b>Aye</b> Krueger	<b>Aye</b> Kruger	<b>Aye</b> Larkin
<b>Aye</b> LaValle	<b>Aye</b> Leibell	<b>Aye</b> Libous	<b>Aye</b> Little
<b>Aye</b> Maltese	<b>Aye</b> Marcellino	<b>Aye</b> Marchi	<b>Aye</b> Maziarz
<b>Aye</b> Meier	<b>Aye</b> Montgomery	<b>Aye</b> Morahan	<b>Aye</b> Nozzolio
<b>Aye</b> Onorato	<b>Aye</b> Oppenheimer	<b>Aye</b> Padavan	<b>Aye</b> Parker

**Aye** Paterson  
**Aye** Saland  
**Aye** Serrano  
**Aye** Smith M  
**Aye** Trunzo  
**Aye** Wright

**Aye** Rath  
**Exc** Sampson  
**Aye** Seward  
**Aye** Spano  
**Aye** Valesky  
**Aye** Young

**Aye** Robach  
**Aye** Savino  
**Aye** Skelos  
**Aye** Stachowski  
**Aye** Volker

**Aye** Sabini  
**Aye** Schneiderman  
**Aye** Smith A  
**Aye** Stavisky  
**Aye** Winner

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**BILL TEXT:**

## STATE OF NEW YORK

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4960--A

2005-2006 Regular Sessions

### IN SENATE

April 18, 2005

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Introduced by Sens. WRIGHT, DeFRANCISCO, JOHNSON, LARKIN, RATH, SPANO, TRUNZO, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the alcoholic beverage control law, in relation to membership in certain not-for-profit corporations or benevolent orders for purposes of the definition of a club

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

1 Section 1. Subdivision 9 of section 3 of the alcoholic beverage  
2 control law, as amended by chapter 494 of the laws of 2004, is amended  
3 to read as follows:

4 9. "Club" shall mean an organization of persons incorporated pursuant  
5 to the provisions of the not-for-profit corporation law or the benevo-  
6 lent orders law, which is the owner, lessee or occupant of a building  
7 used exclusively for club [~~proposes~~ purposes], and which does not traf-  
8 fic in alcoholic beverages for profit and is operated solely for a  
9 recreational, social, patriotic, political, benevolent or athletic  
10 purpose but not for pecuniary gain; except that where such club is  
11 located in an office or business building, or state armory, it may be  
12 licensed as such provided it otherwise qualifies as a "club" within the  
13 meaning of this subdivision. A "luncheon club" shall mean a club which  
14 is open only on week days during the hours between eleven o'clock in the  
15 morning and three o'clock in the afternoon. A "member" of a club shall  
16 mean a person who whether a charter member or admitted in agreement with  
17 the by-laws of the club, has become a bona fide member thereof, who  
18 maintains his or her membership by the payment of his or her annual dues  
19 in a bona fide manner in accordance with the by-laws and whose name and  
20 address is entered on the list of members; or in the case of a veterans  
21 club where a person has in his or her possession an identification card

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

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S. 4960--A

2

1 indicating his or her membership in the national veterans' organization  
2 with which the club at which he or she is present is affiliated. For the

3 purposes of this section a veterans club shall include but not be limit-  
4 ed to the Grand Army of the Republic, the United Spanish War Veterans,  
5 the Veterans of Foreign Wars, the Jewish War Veterans of the United  
6 States, Inc., the Catholic War Veterans, Inc., the Italian American War  
7 Veterans of the United States, Incorporated, the Polish Legion of Ameri-  
8 can Veterans, Inc., the Marine Corps League, the Military Order of the  
9 Purple Heart, Inc., the American Legion, the Disabled American Veterans,  
10 AMVETS, American Veterans of World War II, Masonic War Veterans of the  
11 State of New York, Inc., Veterans of World War I of the United States of  
12 America Department of New York, Inc., China-Burma-India Veterans Associ-  
13 ation, Inc., Polish-American Veterans of World War II, the Sons of Union  
14 Veterans, Vietnam Veterans of America, or the Eastern Paralyzed Veterans  
15 Association. In the case of a chapter or lodge of a not-for-profit  
16 corporation or a benevolent order qualifying as an organization  
17 described in section 501(c)(8) or 501(c)(10) of the United States inter-  
18 nal revenue code, a member of another chapter or lodge of such not-for-  
19 profit corporation or benevolent order who has in his or her possession

20 an identification card or other proof of membership shall be deemed to  
21 be a member. A club and a luncheon club shall appoint an alcoholic  
22 beverage officer from among its members who shall be responsible for  
23 filing all applications and other documents required to be submitted to  
24 the authority. The person appointed alcoholic beverage officer shall be  
25 subject to approval by the authority.  
26 § 2. This act shall take effect immediately.

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**SPONSORS MEMO:**

**NEW YORK STATE SENATE  
INTRODUCER'S MEMORANDUM IN SUPPORT  
submitted in accordance with Senate Rule VI. Sec 1**

**BILL NUMBER:** S4960A

**SPONSOR:** WRIGHT

**TITLE OF BILL:** An act to amend the alcoholic beverage control law, in relation to membership in certain not-for-profit corporations or benevolent orders for purposes of the definition of a club

**PURPOSE:** Provides that members of local chapters or lodges of certain not-for-profit corporations or benevolent orders shall be deemed members of other local chapters or lodges.

**SUMMARY OF PROVISIONS:** Section one amends subdivision 9 of section 3 of the alcoholic beverage control law, by expanding the definition of club members to allow a person who has in his or her possession an identification card indicating membership in a local chapter or lodge of an organization described in section 501(c)(8) or 501 (c)(10) of the United States internal revenue code to be deemed a member of the club at which he or she is present and is affiliated with.

**JUSTIFICATION:** Chapters or lodges of not-for-profit corporations or national benevolent orders play an important role in the communities in which they are located. Additionally, these organizations are dedicated to bettering the lives of families in need and making our communities better places in which to live and raise families. In addition, they provide camaraderie and moral support for each other.

Under current law, if a member of a national private/benevolent organization visits one of the organizations' New York affiliated chapters, they may not buy an alcoholic beverage for a fellow member of that particular club. This legislation would allow members of certain national organizations who have a membership card identifying them as such, the same privileges as affiliated chapter members.

**LEGISLATIVE HISTORY:** New bill.

**FISCAL IMPLICATIONS:** None.

**EFFECTIVE DATE:** Immediately.

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**CHAPTER TEXT:**

CHAPTER 575

AN ACT to amend the alcoholic beverage control law, in relation to membership in certain not-for-profit corporations or benevolent orders for purposes of the definition of a club

Became a law August 23, 2005, with the approval of the Governor.  
Passed by a majority vote, three-fifths being present.

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

Section 1. Subdivision 9 of section 3 of the alcoholic beverage control law, as amended by chapter 494 of the laws of 2004, is amended to read as follows:

9. "Club" shall mean an organization of persons incorporated pursuant to the provisions of the not-for-profit corporation law or the benevolent orders law, which is the owner, lessee or occupant of a building used exclusively for club [~~proposes~~] purposes, and which does not traffic in alcoholic beverages for profit and is operated solely for a recreational, social, patriotic, political, benevolent or athletic purpose but not for pecuniary gain; except that where such club is located in an office or business building, or state armory, it may be licensed as such provided it otherwise qualifies as a "club" within the meaning of this subdivision. A "luncheon club" shall mean a club which is open only on week days during the hours between eleven o'clock in the morning and three o'clock in the afternoon. A "member" of a club shall mean a person who whether a charter member or admitted in agreement with the by-laws of the club, has become a bona fide member thereof, who maintains his or her membership by the payment of his or her annual dues in a bona fide manner in accordance with the by-laws and whose name and address is entered on the list of members; or in the case of a veterans club where a person has in his or her possession an identification card indicating his or her membership in the national veterans' organization with which the club at which he or she is present is affiliated. For the purposes of this section a veterans club shall include but not be limited to the Grand Army of the Republic, the United Spanish War Veterans,

the Veterans of Foreign Wars, the Jewish War Veterans of the United States, Inc., the Catholic War Veterans, Inc., the Italian American War Veterans of the United States, Incorporated, the Polish Legion of American Veterans, Inc., the Marine Corps League, the Military Order of the Purple Heart, Inc., the American Legion, the Disabled American Veterans, AMVETS, American Veterans of World War II, Masonic War Veterans of the State of New York, Inc., Veterans of World War I of the United States of America Department of New York, Inc., China-Burma-India Veterans Association, Inc., Polish-American Veterans of World War II, the Sons of Union Veterans, Vietnam Veterans of America, or the Eastern Paralyzed Veterans Association. In the case of a chapter or lodge of a not-for-profit corporation or a benevolent order qualifying as an organization described in section 501(c)(8) or 501(c)(10) of the United States internal revenue code, a member of another chapter or lodge of such not-for-

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

CHAP. 575

2

profit corporation or benevolent order who has in his or her possession an identification card or other proof of membership shall be deemed to be a member. A club and a luncheon club shall appoint an alcoholic beverage officer from among its members who shall be responsible for filing all applications and other documents required to be submitted to the authority. The person appointed alcoholic beverage officer shall be

subject to approval by the authority.

§ 2. This act shall take effect immediately.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

JOSEPH L. BRUNO

SHELDON SILVER

Temporary President of the Senate

Speaker of the Assembly

*Robert G. T. Yager*

State Secretary

Fraternal Order of Eagles

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