S T A T E O F N E W Y O R K

S. 822 A. 511

2011-2012 Regular Sessions

S E N A T E - A S S E M B L Y

(PREFILED)

January 5, 2011

IN SENATE -- Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- Introduced by M. of A. SAYWARD, DUPREY, JORDAN, TEDISCO -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the executive law, in relation to the appointment of the members of the Adirondack park agency

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 803 of the executive law, as amended by chapter 986 of the laws of 1984, is amended to read as follows:

S 803. Adirondack park agency. There is hereby created in the executive department, the Adirondack park agency, which shall consist of the following members: the commissioner of environmental conservation, the secretary of state, the commissioner of [commerce] ECONOMIC DEVELOPMENT and eight members [to be] appointed by the governor by and with the advice and consent of the senate. The governor shall designate a chairman from among the members appointed to the agency, who shall serve at the governor's pleasure. None of the members appointed by the governor shall be officers or employees of any state department or agency.

Five members appointed by the governor shall be full-time residents within the Adirondack park, WHO SHALL BE SELECTED FROM A LIST OF NOT LESS THAN FIVE SUCH RESIDENTS ESTABLISHED AND SUBMITTED BY THE LEGISLATIVE BODIES OF THE COUNTIES WITHIN THE PARK AND THE ADIRONDACK ASSOCIATION OF TOWNS AND VILLAGES; provided, however, that no two such members shall be residents of the same county except for such members initially appointed before January first, nineteen hundred seventy-three, who may be reappointed for additional successive terms; AND PROVIDED, FURTHER, THAT THE LEGISLATIVE BODIES OF THE COUNTIES WITHIN THE PARK AND THE

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

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ADIRONDACK ASSOCIATION OF TOWNS AND VILLAGES SHALL AT ALL TIMES MAINTAIN A LIST OF NOT LESS THAN FIVE FULL-TIME RESIDENTS WITHIN THE PARK WHO ARE ELIGIBLE TO APPOINTMENT TO THE AGENCY. Three members appointed by the governor shall be residents of the state outside the Adirondack park. Not more than five appointed members shall be of the same political party.

All appointments shall be made for terms of four years; provided that the first member appointed by the governor pursuant to the increase of members from seven to eight shall be appointed for a term expiring on the thirtieth day of June, nineteen hundred seventy-six. Each of such appointed members of the agency shall hold office for the term for which he OR SHE was appointed and until his OR HER successor shall have been appointed and qualified or until he OR SHE shall resign or be removed in the manner provided by law. In the case of any vacancy other than one arising by expiration of term, an appointment to fill the vacancy shall be made for the remainder of the unexpired term.

The designated chairman shall receive an annual salary of thirty thousand dollars. The other members of the agency, except those who serve ex officio, shall receive one hundred dollars per diem, not to exceed five thousand dollars per annum compensation for their services as members of the agency. All members, except those who serve ex officio, shall be allowed the necessary and actual expenses incurred in the performance of duties under this article.

A majority of the members of the agency shall constitute a quorum for the transaction of any business or the exercise of any power or function of the agency and affirmative vote by a majority of the members of the agency, except as is otherwise specifically provided in this article, shall be required to exercise any power or function of the agency. Votes of any member shall be cast in person and not by proxy. The agency may delegate to one or more of its members, officers, agents and employees, such powers and duties as it deems proper.

The commissioner of environmental conservation [and], the commissioner of [commerce] ECONOMIC DEVELOPMENT and the secretary of state may, by official authority filed in their respective agencies, and with the Adirondack park agency, designate a deputy or other officer to exercise his OR HER powers and perform his OR HER duties, including the right to vote, on the agency.

S 2. This act shall take effect immediately and shall apply to the appointment of members to the Adirondack park agency on or after such date.