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2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to create a temporary New York state civil war 150th anniversary commemoration commission; and providing for the repeal of such provisions

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

1 Section 1. Legislative findings. The legislature hereby finds and
2 declares that there is a need to create a New York state civil war 150th
3 anniversary commemoration commission to promote the 150th anniversary of
4 the American civil war which will take place between the years 2011 and
5 2015. The primary focus of the New York state civil war 150th anniversary
6 commemoration commission will be to plan and execute an organized
7 series of civil war reenactment tourism events.
8 The legislature finds that the creation of a New York state civil war
9 150th anniversary commemoration commission is necessary to bring together
10 persons qualified by experience and/or by powers vested in them by
11 their offices to coordinate and facilitate such a multi-year event.
12 S 2. New York state civil war 150th anniversary commemoration commis-
13 sion; created. 1. There is hereby created a temporary state commission
14 to be known as the "New York state civil war 150th anniversary commem-
15 oration commission".
16 2. Definitions. As used in this act:
17 a. "Commission" means the New York state civil war 150th anniversary
18 commemoration commission created by this section.
19 b. "Re-enactor" means a person who is a recognized member of a duly
20 constituted reenactment organization approved by the host site and who
21 participates in the main civil war reenactment event for the year.

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

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1 3. a. The commission shall consist of 14 members to be appointed as
2 follows:

3 The commissioner of the department of parks, recreation and historic
4 preservation or his or her duly designated representative, the commis-
5 sioner of the department of education or his or her duly designated
6 representative, the commissioner of the department of economic develop-
7 ment or his or her duly designated representative, and 11 members of the
8 civil war reenactment community of whom three members shall be appointed
9 by the governor, three members shall be appointed by the temporary pres-
10 ident of the senate, three members shall be appointed by the speaker of
11 the assembly, one member shall be appointed by the minority leader of
12 the senate and one member shall be appointed by the minority leader of
13 the assembly. The commissioner of the department of economic development
14 or his or her duly designated representative shall serve as chairperson
15 of the commission. The eleven appointed members shall serve at the plea-
16 sure of the appointing official. Vacancies shall be filled in the manner
17 provided for original appointments.

18 b. The members of the commission shall receive no compensation for
19 their services.

20 c. Notwithstanding any inconsistent provision of any general, special
21 or local law, ordinance, resolution or charter, no officer, member or
22 employee of the state or of any public corporation shall forfeit his or
23 her office or employment by reason of his or her acceptance of appoint-
24 ment as a member of the commission, nor shall service as such commission
25 member be deemed incompatible or in conflict with such office or employ-
26 ment.

27 d. The commission shall appoint such staff as may be necessary to
28 carry out its duties.

29 S 3. Powers and duties of the commission. 1. The commission shall have
30 the following powers and duties:

31 a. To coordinate the commemoration of the 150th anniversary of the
32 civil war for the years 2011 through 2015;

33 b. To plan and execute an organized series of civil war reenactment
34 tourism events;

35 c. To promote civil war educational studies in grades kindergarten
36 through twelve in New York state schools; and

37 d. To design two special "metal alloy" medallions to issue exclusively
38 to those re-enactors who are duly authorized and who participate in the
39 main reenactment event of each year. A medallion shall be prepared for
40 issuance to American forces and a separate and distinct medallion shall
41 be prepared for issuance to Confederate forces.

42 2. The commission shall work with forts within New York state that are
43 planning civil war reenactment events. Each fort shall have authority
44 over how such events are handled.

45 S 4. The commission may employ and at pleasure remove such personnel
46 as it may deem necessary for the performance of its functions and fix
47 their compensation within the amounts made available by appropriation
48 therefor. The commission may meet and hold public and/or private hear-
49 ings within or without the state, and shall have all the powers of a
50 legislative committee pursuant to the legislative law.

51 S 5. The commission may request and shall receive from any subdivi-
52 sion, department, board, commission, office, agency, or other instrumen-
53 tality of the state or of any political subdivision thereof such facili-
54 ties, assistance and data as it deems necessary or desirable for the
55 proper execution of its powers and duties and to effectuate the purposes
56 set forth in this act.

1 S 6. The commission is hereby authorized and empowered to enter into
2 any agreements and to do and perform any acts that may be necessary,
3 desirable or proper to carry out the purposes and objectives of this
4 act.

5 S 7. The commission shall continue in existence until December 31,
6 2015, at which time it shall be deemed to be repealed.

7 S 8. This act shall take effect immediately.