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

1025

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. DelMONTE, LUPARDO, FIELDS, GUNTHER, STIRPE, COOK -- Multi-Sponsored by -- M. of A. BRENNAN, DESTITO, GABRYSZAK, KOON, PEOPLES, REILLY, SWEENEY, TOWNS -- read once and referred to the Committee on Tourism, Arts and Sports Development

AN ACT to create a temporary New York state commission on the development of a museum that honors the history and mission of the state's forest rangers, game protectors, and environmental conservation officers; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Legislative findings. The legislature hereby finds and declares there is a need to create a New York state museum to promote, display and honor the origin, history, work and achievements of the state's forest rangers, game protectors, game wardens and environmental conservation officers.

The legislature finds that the creation of a New York state commission is necessary to bring together persons qualified by experience and/or by powers vested in them by their offices to develop, plan, promote and guide the development of such a museum.

S 2. 1. There is hereby created a temporary state commission to be known as the "New York state commission on the history of conservation officers museum".

2. As used in this act: "Commission" means the New York state commission on the history of conservation officers museum created by this section.

3. a. The commission shall consist of 17 members to be appointed as follows:

The commissioner of the department of environmental conservation or his or her duly designated representative; two members of the department

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

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of environmental conservation's office of public protection, of which one shall be a member of the division of forest protection and fire management and one shall be a member of the department of environmental conservation's division of law enforcement; the commissioner of the department of education or his or her duly designated representative; an appointee of the Fish and Wildlife Management Board; one member designated by the New York State Outdoor Writers' Association; three members who shall be appointed by the governor; three members who shall be appointed by the temporary president of the senate; three members who shall be appointed by the speaker of the assembly; one member appointed by the minority leader of the senate; and one member appointed by the minority leader of the assembly.

The commissioner of the department of environmental conservation or his or her duly designated representative shall serve as chair of the commission. Appointed members shall serve at the pleasure of the appointing official or body. Vacancies shall be filled in the same manner provided for original appointments.

b. The members of the commission shall receive no compensation for their services but shall be reimbursed for their actual and necessary expenses incurred by them in the performance of their duties.

c. Notwithstanding any inconsistent provision of any general, special or local law, ordinance, resolution or charter, no officer, member or employee of the state or of any public corporation shall forfeit his or her office or employment by reason of his or her acceptance of appointment as a member of the commission, nor shall service as such commission member be deemed incompatible or in conflict with such office or employment.

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

S 3. The commission shall have the following powers and duties:

1. To plan, propose and develop a suitable museum that will honor, display and promote the history, origin, development and achievements of the state's outdoor game, fish, and forest protectors and law enforcement officers, known generally as forest rangers and environmental conservation officers, and to highlight their role in New York's protection of waters, lands, forests, fish and game;

2. To identify a suitable location for such a museum, which may be located in existing buildings, facilities and offices maintained by the state;

3. To identify and acquire artifacts, memorabilia, uniforms and equipment of historic significance in the development of the ranger, game protector and environmental conservation officer services for display in the museum;

4. To encourage public appreciation for the beneficial role played by game protectors, forest rangers and environmental conservation officers in protecting our fish, wildlife and natural resources in New York's history;

5. To promote the museum as an educational resource; and

6. To encourage students to consider careers as forest rangers and environmental conservation officers.

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

S 5. The commission may request and shall receive from any subdivision, department, board, commission, office, agency, or other instrumentality of the state or of any political subdivision thereof such facilities, assistance and data as it deems necessary or desirable for the proper execution of its powers and duties and to effectuate the purposes set forth in this act.

S 6. The commission is hereby authorized and empowered to enter into any agreements and to do and perform any acts that may be necessary, desirable or proper to carry out the purposes and objectives of this act, and may accept donations to help fund the development of the museum.

S 7. This act shall take effect immediately and shall expire December 31, 2014 when upon such date the provisions of this act shall be deemed repealed.