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

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2009-2010 Regular Sessions

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

February 5, 2009

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

IN ASSEMBLY -- Introduced by M. of A. ENGLEBRIGHT, McENENY, GORDON, REILLY, CANESTRARI -- Multi-Sponsored by -- M. of A. THIELE -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to establishing the Historic Hudson-Hoosic Rivers Partnership

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

Section 1. The article heading of article 42 of the environmental conservation law, as added by chapter 737 of the laws of 2006, is amended to read as follows:

HISTORIC [SARATOGA-WASHINGTON ON THE HUDSON]
HUDSON-HOOSIC RIVERS
PARTNERSHIP

S 2. Subdivisions 1, 3 and 4 of section 42-0101 of the environmental conservation law, as added by chapter 737 of the laws of 2006, are amended to read as follows:

1. "Partnership" shall mean the organization established as [The] THE Historic [Saratoga-Washington on the Hudson] HUDSON-HOOSIC RIVERS Partnership pursuant to section 42-0103 of this article.

3. "Historic [Saratoga-Washington on the Hudson] HUDSON-HOOSIC RIVERS area" or "area" shall mean the contiguous area in Saratoga [and], Washington AND RENSSELAER counties within the towns of Saratoga, Stillwater, Northumberland, Easton, Fort Edward, Waterford, Halfmoon [and], Greenwich, SCHAGHTICOKE, HOOSICK, MOREAU, WHITE CREEK, CAMBRIDGE, KINGSBURY, CORINTH AND PITTSTOWN; THE VILLAGES OF SOUTH GLENS FALLS, CAMBRIDGE,

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

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HUDSON FALLS, VALLEY FALLS, SCHAGHTICOKE, CORINTH AND HOOSICK FALLS; and the city of Mechanicville.

4. "Historic [Saratoga-Washington on the Hudson] HUDSON-HOOSIC RIVERS fund" or "fund" shall be the fund established pursuant to section 42-0115 of this article.

S 3. The section heading and subdivisions 1, 5, 7 and 9 of section 42-0103 of the environmental conservation law, as added by chapter 737 of the laws of 2006, are amended to read as follows:

The Historic [Saratoga-Washington on the Hudson] HUDSON-HOOSIC RIVERS Partnership.

1. The Historic [Saratoga-Washington on the Hudson] HUDSON-HOOSIC RIVERS Partnership is hereby established in the department to be a body corporate and public, and to consist of up to [twenty-two] THIRTY-SEVEN voting members. The following individuals shall be invited to become members: the supervisor of the town of Saratoga, the supervisor of the town of Fort Edward, the supervisor of the town of Greenwich, the supervisor of the town of Easton, the supervisor of the town of Stillwater, the supervisor of the town of Waterford, the supervisor of the town of Northumberland, the supervisor of the town of Halfmoon, the supervisor of the town of Mechanicville, THE SUPERVISOR OF THE TOWN OF WHITE CREEK, THE SUPERVISOR OF THE TOWN OF CAMBRIDGE, THE SUPERVISOR OF THE TOWN OF MOREAU, THE SUPERVISOR OF THE TOWN OF SCHAGHTICOKE, THE SUPERVISOR OF THE TOWN OF PITTSTOWN, THE SUPERVISOR OF THE TOWN OF HOOSICK, THE SUPERVISOR OF THE TOWN OF KINGSBURY, THE SUPERVISOR OF THE TOWN OF CORINTH, the mayor of the city of Mechanicville, the mayor of the village of Schuylerville, the mayor of the village of Victory, the mayor of the village of Stillwater, the mayor of the village of Fort Edward, the mayor of the village of Greenwich, THE MAYOR OF THE VILLAGE OF SOUTH GLENS FALLS, THE MAYOR OF THE VILLAGE OF CAMBRIDGE, THE MAYOR OF THE VILLAGE OF HUDSON FALLS, THE MAYOR OF THE VILLAGE OF VALLEY FALLS, THE MAYOR OF THE VILLAGE OF SCHAGHTICOKE, THE MAYOR OF THE VILLAGE OF CORINTH, THE MAYOR OF THE VILLAGE OF HOOSICK FALLS and the mayor of the village of Waterford. In addition, six members shall be appointed as follows: two shall be appointed by the governor, two shall be appointed by the temporary president of the senate[,] and two shall be appointed by the speaker of the assembly. The commissioner and the commissioners of agriculture and markets, and parks, recreation and historic preservation shall be nonvoting ex-officio members of the partnership. The six appointed members of the partnership, [three] TWO of which shall be residents of Saratoga county, TWO OF WHICH SHALL BE RESIDENTS OF RENSSELAER COUNTY and [three] TWO of which shall be residents of Washington county, shall by training, education and experience or attainment be qualified to analyze, interpret and/or support matters relevant to historical, environmental, economic or scenic preservation work of the partnership. Each ex-officio member of the partnership may designate a representative to attend, in his or her place, meetings of the partnership and to act in his or her behalf at meetings and with respect to the business of the partnership.

5. Notwithstanding any inconsistent provisions of law, general, special[,] or local, no officer or employee of the state or any civil division thereof, shall be deemed to have forfeited or shall forfeit his or her office or employment by reason of his or her acceptance of membership on the partnership.

[7. The partnership shall come into being, upon the receipt by the commissioner, of notice from eight municipal voting members the intention to join the partnership.]

9. Every state agency and public corporation having jurisdiction of land within municipalities located within the Historic [Saratoga-Washington on the Hudson River] HUDSON-HOOSIC RIVERS PARTNERSHIP Reserve shall, to the fullest extent practicable, cooperate and assist the partnership in carrying out the provisions of this article.

S 4. Section 42-0105 of the environmental conservation law, as added by chapter 737 of the laws of 2006, is amended to read as follows:

S 42-0105. The Historic [Saratoga-Washington on the Hudson] HUDSON-HOOSIC RIVERS PARTNERSHIP Reserve.

The area encompassed within the municipal boundaries in the towns of Saratoga, Stillwater, Northumberland, Easton, Fort Edward, Waterford, Halfmoon, MOREAU, SCHAGHTICOKE, CAMBRIDGE, WHITE CREEK, PITTSTOWN, HOOSICK, KINGSBURY, CORINTH and Greenwich; THE VILLAGES OF SOUTH GLENS FALLS, CAMBRIDGE, HUDSON FALLS, VALLEY FALLS, SCHAGHTICOKE, CORINTH AND HOOSICK FALLS; and the city of Mechanicville is hereby designated to be the Historic [Saratoga-Washington on the Hudson] HUDSON-HOOSIC RIVERS PARTNERSHIP Reserve.

S 5. Section 42-0111 of the environmental conservation law, as added by chapter 737 of the laws of 2006, is amended to read as follows:

S 42-0111. Appropriations by municipalities.

To effectuate the purposes of this article, the local legislative bodies of the towns, villages and city within the reserve and the counties of Saratoga [and], Washington AND RENSSELAER may appropriate and pay over to the partnership moneys to be expended by the partnership to carry out its functions [thereunder] PURSUANT TO THIS ARTICLE.

S 6. Section 42-0113 of the environmental conservation law, as added by chapter 737 of the laws of 2006, is amended to read as follows:

S 42-0113. Cooperation of state agencies.

To effectuate the purposes of this article, the partnership may request from any department, board, bureau, commission or other agency of the state, and the same are authorized to provide, such cooperation and assistance, services and data as will enable the partnership properly to carry out its functions [thereunder] PURSUANT TO THIS ARTICLE.

S 7. Subdivision 1 of section 42-0115 of the environmental conservation law, as added by chapter 737 of the laws of 2006, is amended to read as follows:

1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a special fund to be known as the "Historic [Saratoga-Washington on the Hudson] HUDSON-HOOSIC RIVERS fund".

S 8. Section 42-0117 of the environmental conservation law, as added by chapter 737 of the laws of 2006, is amended to read as follows:

S 42-0117. Siena College revolutionary war institute.

The partnership may enter into an agreement with the Siena College revolutionary war institute to provide diverse, academically based education opportunities based on the historic resources of the Historic [Saratoga-Washington on the Hudson] HUDSON-HOOSIC RIVERS PARTNERSHIP Reserve for local schools, residents in the reserve and visitors to the reserve to learn about our nation's birth and democratic foundations.

S 9. This act shall take effect upon the receipt by the commissioner of environmental conservation of notice from at least eight of the following municipal voting members of their intention to join the Hudson-Hoosic Rivers Partnership: the town of White Creek, the town of Cambridge, the town of Moreau, the town of Schaghticoke, the town of Pittstown, the town of Hoosick, the town of Kingsbury, the town of Corinth, the village of South Glens Falls, the village of Cambridge, the

village of Hudson Falls, the village of Valley Falls, the village of Schaghticoke, the village of Corinth or the village of Hoosick Falls; provided that the commissioner of environmental conservation shall notify the legislative bill drafting commission upon the occurrence of notice from eight of the preceding municipalities in order that the commission may maintain an accurate and timely effective database of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.