

7432

2009-2010 Regular Sessions

I N A S S E M B L Y

April 6, 2009

Introduced by M. of A. ENGLEBRIGHT, REILLY, ESPAILLAT, TITONE, FIELDS,
CASTRO, COOK, JAFFEE, PEOPLES, STIRPE, MILLMAN -- Multi-Sponsored by
-- M. of A. CHRISTENSEN, EDDINGTON, GOTTFRIED, GUNTHER, KOON, MCENENY,
SCHIMEL, SWEENEY -- read once and referred to the Committee on Tour-
ism, Arts and Sports Development

AN ACT to amend the parks, recreation and historic preservation law, in
relation to the New York state heritage areas advisory council

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

1 Section 1. Section 33.01 of the parks, recreation and historic preser-
2 vation law, as amended by chapter 747 of the laws of 2005, is amended to
3 read as follows:
4 S 33.01 New York state heritage areas advisory council. There shall
5 continue to be in the office a New York state heritage areas advisory
6 council which shall consist of [twenty-one] TWENTY-SIX members or their
7 designated representatives. The commissioner shall be a member of the
8 advisory council[, shall coordinate the functions and activities of the
9 office with those of the advisory council and shall serve as its chair].
10 In addition, the advisory council shall consist of the following [twen-
11 ty] TWENTY-FIVE other members: the commissioner of economic development,
12 to advise and assist regarding related tourism and economic revitaliza-
13 tion; the commissioner of education, to advise and assist regarding the
14 interpretive and educational aspects of the programs; the secretary of
15 state, to advise and assist regarding matters of community development
16 and state planning and to advise on the identification and preservation
17 of rural resources; the commissioner of transportation, to advise and
18 assist regarding matters of transportation to and within heritage areas;
19 the president of the New York state urban development corporation, to
20 advise and assist regarding matters of economic development; the commis-
21 sioner of environmental conservation, to advise and assist regarding
22 matters of conservation and use of natural resources; the chairman of

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

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1 the state board for historic preservation, to advise and assist in
2 matters regarding historic preservation; the commissioner of housing and
3 community renewal to advise and assist regarding neighborhood and commu-
4 nity development and preservation programs; the chairman of the New York
5 state thruway authority regarding the operation of the New York state
6 canal system; the commissioner of agriculture and markets regarding
7 agriculture in heritage areas; A REPRESENTATIVE OF THE STATE HERITAGE
8 AREA ASSOCIATION; and [ten] FOURTEEN members to be appointed by the
9 governor, three of such members shall be municipal officers, elected
10 officials or representatives of local government interest and [seven]
11 ELEVEN of such members shall be, by professional training or experience
12 or attainment, qualified to analyze or interpret matters relevant to the
13 establishment and maintenance of state designated heritage areas includ-
14 ing urban cultural parks and heritage corridors, one of whom shall be
15 the director of a heritage area. Of these last [seven] ELEVEN, two are
16 to be appointed from names recommended by the majority leader of the
17 senate, two are to be appointed from names recommended by the speaker of
18 the assembly, one is to be appointed from names recommended by the
19 minority leader of the senate and one is to be appointed from names
20 recommended by the minority leader of the assembly. The governor may
21 designate such ex-officio members who shall be from the executive
22 department, state agencies or public corporations as he or she deems
23 appropriate; provided that such ex-officio members shall not vote on
24 matters before the advisory council. For the [ten] FOURTEEN members
25 appointed by the governor, each shall hold office for a term of five
26 years and until his or her successor shall have been appointed or until
27 he or she shall resign. THE MEMBERS OF THE ADVISORY COUNCIL SHALL ELECT
28 A CHAIR FROM AMONGST ITS MEMBERS FOR A TERM OF THREE YEARS. No member
29 shall receive any compensation[, but members who are not state officials
30 shall be entitled to actual and necessary expenses incurred in the
31 performance of their duties].

32 S 2. Subdivisions 1 and 5 of section 33.03 of the parks, recreation
33 and historic preservation law, subdivision 1 as added by chapter 541 of
34 the laws of 1982 and subdivision 5 as amended by chapter 747 of the laws
35 of 2005, are amended to read as follows:

36 1. Meet at least twice each year to provide information and review the
37 activities [of] WITHIN the [office] STATE HERITAGE AREAS conducted
38 pursuant to this title.

39 5. Exercise and perform such other advisory functions, powers and
40 duties related to the planning, development and management of the system
41 as may be [requested by the commissioner] APPROPRIATE.

42 S 3. This act shall take effect immediately.