

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

7432--A

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, MCENE- NY, SCHIMEL, SWEENEY -- read once and referred to the Committee on Tourism, Arts and Sports Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 ASSEMBLY, DO ENACT AS FOLLOWS:

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

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1 sioner of environmental conservation, to advise and assist regarding
2 matters of conservation and use of natural resources; the chairman of
3 the state board for historic preservation, to advise and assist in
4 matters regarding historic preservation; the commissioner of housing and
5 community renewal to advise and assist regarding neighborhood and commu-
6 nity development and preservation programs; the chairman of the New York
7 state thruway authority regarding the operation of the New York state
8 canal system; the commissioner of agriculture and markets regarding
9 agriculture in heritage areas; A REPRESENTATIVE OF THE STATE HERITAGE
10 AREA ASSOCIATION; THE DIRECTOR OR CHIEF EXECUTIVE OFFICER OF THE HUDSON
11 RIVER NATIONAL HERITAGE AREA, THE ERIE CANALWAY NATIONAL HERITAGE CORRI-
12 DOR, THE CHAMPLAIN VALLEY NATIONAL HERITAGE PARTNERSHIP AND THE NIAGARA
13 FALLS NATIONAL HERITAGE AREA; and ten members to be appointed by the
14 governor, three of such members shall be municipal officers, elected
15 officials or representatives of local government interest and seven of
16 such members shall be, by professional training or experience or attain-
17 ment, qualified to analyze or interpret matters relevant to the estab-
18 lishment and maintenance of state designated heritage areas including
19 urban cultural parks and heritage corridors, one of whom shall be the
20 director of a heritage area. Of these last seven, two are to be
21 appointed from names recommended by the majority leader of the senate,
22 two are to be appointed from names recommended by the speaker of the
23 assembly, one is to be appointed from names recommended by the minority
24 leader of the senate and one is to be appointed from names recommended
25 by the minority leader of the assembly. The governor may designate such
26 ex-officio members who shall be from the executive department, state
27 agencies or public corporations as he or she deems appropriate; provided
28 that such ex-officio members shall not vote on matters before the advi-
29 sory council. For the ten members appointed by the governor, each shall
30 hold office for a term of five years and until his or her successor
31 shall have been appointed or until he or she shall resign. THE MEMBERS
32 OF THE ADVISORY COUNCIL SHALL ELECT A CHAIR FROM AMONGST ITS MEMBERS FOR
33 A TERM OF THREE YEARS. ELEVEN MEMBERS OF THE ADVISORY COUNCIL SHALL
34 CONSTITUTE A QUORUM FOR THE TRANSACTION OF ANY BUSINESS AT BOTH REGULAR
35 AND SPECIAL MEETINGS. ANY EX-OFFICIO MEMBER MAY DELEGATE ALL HIS OR HER
36 DUTIES OF MEMBERSHIP, INCLUDING VOTING RIGHTS, TO AN OFFICER OR EMPLOYEE
37 OF SUCH MEMBER'S ORGANIZATION. No member shall receive any compen-
38 sation[, but members who are not state officials shall be entitled to
39 actual and necessary expenses incurred in the performance of their
40 duties].

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

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

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

51 S 3. This act shall take effect immediately.