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

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2009-2010 Regular Sessions

I N A S S E M B L Y

May 6, 2009

Introduced by M. of A. McENENY, ENGLEBRIGHT, TITONE -- read once and referred to the Committee on Governmental Operations -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

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:

Section 1. Legislative findings. The legislature hereby finds and declares that there is a need to create a New York state civil war 150th anniversary commemoration commission to promote the 150th anniversary of the American civil war which will take place between the years 2011 and 2015. The primary focus of the New York state civil war 150th anniversary commemoration commission will be to plan and execute an organized series of civil war reenactment tourism events.

The legislature finds that the creation of a New York state civil war 150th anniversary commemoration commission is necessary to bring together persons qualified by experience and/or by powers vested in them by their offices to coordinate and facilitate such a multi-year event.

S 2. New York state civil war 150th anniversary commemoration commission; created. 1. There is hereby created a temporary state commission to be known as the "New York state civil war 150th anniversary commemoration commission".

2. Definitions. As used in this act:

a. "Commission" means the New York state civil war 150th anniversary commemoration commission created by this section.

b. "Re-enactor" means a person who is a recognized member of a duly constituted reenactment organization approved by the host site and who 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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3. a. The commission shall consist of 14 members to be appointed as follows:

The commissioner of the department of parks, recreation and historic preservation or his or her duly designated representative, the commissioner of the department of education or his or her duly designated representative, the commissioner of the department of economic development or his or her duly designated representative, and 11 members of the civil war reenactment community of whom three members shall be appointed by the governor, three members shall be appointed by the temporary president of the senate, three members shall be appointed by the speaker of the assembly, one member shall be appointed by the minority leader of the senate and one member shall be appointed by the minority leader of the assembly. The commissioner of the department of economic development or his or her duly designated representative shall serve as chairperson of the commission. The eleven appointed members shall serve at the pleasure of the appointing official. Vacancies shall be filled in the manner provided for original appointments.

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

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. Powers and duties of the commission. 1. The commission shall have the following powers and duties:

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

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

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

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

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

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.

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

S 8. This act shall take effect immediately.