

4377

2009-2010 Regular Sessions

I N S E N A T E

April 22, 2009

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

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:

1 Section 1. Legislative findings. The legislature hereby finds and
2 declares that there is a need to create a New York state civil war 150th
3 anniversary commemoration commission to promote the 150th anniversary of
4 the American civil war which will take place between the years 2011 and
5 2015. The primary focus of the New York state civil war 150th anniversary
6 commemoration commission will be to plan and execute an organized
7 series of civil war reenactment tourism events.
8 The legislature finds that the creation of a New York state civil war
9 150th anniversary commemoration commission is necessary to bring together
10 persons qualified by experience and/or by powers vested in them by
11 their offices to coordinate and facilitate such a multi-year event.
12 S 2. New York state civil war 150th anniversary commemoration commis-
13 sion; created. 1. There is hereby created a temporary state commission
14 to be known as the "New York state civil war 150th anniversary commem-
15 oration commission".
16 2. Definitions. As used in this act:
17 a. "Commission" means the New York state civil war 150th anniversary
18 commemoration commission created by this section.
19 b. "Re-enactor" means a person who is a recognized member of a duly
20 constituted reenactment organization approved by the host site and who
21 participates in the main civil war reenactment event for the year.
22 3. a. The commission shall consist of 14 members to be appointed as
23 follows:

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

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1 The commissioner of the department of parks, recreation and historic
2 preservation or his or her duly designated representative, the commis-
3 sioner of the department of education or his or her duly designated
4 representative, the commissioner of the department of economic develop-
5 ment or his or her duly designated representative, and 11 members of the
6 civil war reenactment community of whom three members shall be appointed
7 by the governor, three members shall be appointed by the temporary pres-
8 ident of the senate, three members shall be appointed by the speaker of
9 the assembly, one member shall be appointed by the minority leader of
10 the senate and one member shall be appointed by the minority leader of
11 the assembly. The commissioner of the department of economic development
12 or his or her duly designated representative shall serve as chairperson
13 of the commission. The eleven appointed members shall serve at the plea-
14 sure of the appointing official. Vacancies shall be filled in the manner
15 provided for original appointments.

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

19 c. Notwithstanding any inconsistent provision of any general, special
20 or local law, ordinance, resolution or charter, no officer, member or
21 employee of the state or of any public corporation shall forfeit his or
22 her office or employment by reason of his or her acceptance of appoint-
23 ment as a member of the commission, nor shall service as such commission
24 member be deemed incompatible or in conflict with such office or employ-
25 ment.

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

28 S 3. Powers and duties of the commission. 1. The commission shall have
29 the following powers and duties:

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

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

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

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

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

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

50 S 5. The commission may request and shall receive from any subdivi-
51 sion, department, board, commission, office, agency, or other instrumen-
52 tality of the state or of any political subdivision thereof such facili-
53 ties, assistance and data as it deems necessary or desirable for the
54 proper execution of its powers and duties and to effectuate the purposes
55 set forth in this act.

1 S 6. The commission is hereby authorized and empowered to enter into
2 any agreements and to do and perform any acts that may be necessary,
3 desirable or proper to carry out the purposes and objectives of this
4 act.

5 S 7. The commission shall continue in existence until December 31,
6 2015, at which time it shall be deemed to be repealed.

7 S 8. This act shall take effect immediately.