

5483

2009-2010 Regular Sessions

I N S E N A T E

May 11, 2009

Introduced by Sen. SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

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 revitalization;
12 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 commissioner of environmental conservation, to advise and assist regarding
20 matters of conservation and use of natural resources; the chairman of
21 the state board for historic preservation, to advise and assist in
22 matters regarding historic preservation; the commissioner of housing and
23
24

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

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

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

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

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

47 S 3. This act shall take effect immediately.