

S. 6999

A. 10110

S E N A T E - A S S E M B L Y

March 4, 2010

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IN SENATE -- Introduced by Sens. LITTLE, FARLEY, GRIFFO, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

IN ASSEMBLY -- Introduced by M. of A. SAYWARD -- Multi-Sponsored by -- M. of A. DUPREY, JORDAN, SCOZZAFAVA, TEDISCO -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the executive law, in relation to the appointment of the members of the Adirondack park agency

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

1     Section 1. Section 803 of the executive law, as amended by chapter 986  
2     of the laws of 1984, is amended to read as follows:  
3     S 803. Adirondack park agency. There is hereby created in the execu-  
4     tive department, the Adirondack park agency, which shall consist of the  
5     following members: the commissioner of environmental conservation, the  
6     secretary of state, the commissioner of [commerce] ECONOMIC DEVELOPMENT  
7     and eight members [to be] appointed by the governor by and with the  
8     advice and consent of the senate. The governor shall designate a chair-  
9     man from among the members appointed to the agency, who shall serve at  
10    the governor's pleasure. None of the members appointed by the governor  
11    shall be officers or employees of any state department or agency.  
12    Five members appointed by the governor shall be full-time residents  
13    within the Adirondack park, WHO SHALL BE SELECTED FROM A LIST OF NOT  
14    LESS THAN FIVE SUCH RESIDENTS ESTABLISHED AND SUBMITTED BY THE LEGISLA-  
15    TIVE BODIES OF THE COUNTIES WITHIN THE PARK AND THE ADIRONDACK ASSOCI-  
16    ATION OF TOWNS AND VILLAGES; provided, however, that no two such members  
17    shall be residents of the same county except for such members initially  
18    appointed before January first, nineteen hundred seventy-three, who may  
19    be reappointed for additional successive terms; AND PROVIDED, FURTHER,  
20    THAT THE LEGISLATIVE BODIES OF THE COUNTIES WITHIN THE PARK AND THE  
21    ADIRONDACK ASSOCIATION OF TOWNS AND VILLAGES SHALL AT ALL TIMES MAINTAIN  
22    A LIST OF NOT LESS THAN FIVE FULL-TIME RESIDENTS WITHIN THE PARK WHO ARE  
23    ELIGIBLE TO APPOINTMENT TO THE AGENCY. Three members appointed by the

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

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1 governor shall be residents of the state outside the Adirondack park.  
2 Not more than five appointed members shall be of the same political  
3 party.

4 All appointments shall be made for terms of four years; provided that  
5 the first member appointed by the governor pursuant to the increase of  
6 members from seven to eight shall be appointed for a term expiring on  
7 the thirtieth day of June, nineteen hundred seventy-six. Each of such  
8 appointed members of the agency shall hold office for the term for which  
9 he OR SHE was appointed and until his OR HER successor shall have been  
10 appointed and qualified or until he OR SHE shall resign or be removed in  
11 the manner provided by law. In the case of any vacancy other than one  
12 arising by expiration of term, an appointment to fill the vacancy shall  
13 be made for the remainder of the unexpired term.

14 The designated chairman shall receive an annual salary of thirty thou-  
15 sand dollars. The other members of the agency, except those who serve ex  
16 officio, shall receive one hundred dollars per diem, not to exceed five  
17 thousand dollars per annum compensation for their services as members of  
18 the agency. All members, except those who serve ex officio, shall be  
19 allowed the necessary and actual expenses incurred in the performance of  
20 duties under this article.

21 A majority of the members of the agency shall constitute a quorum for  
22 the transaction of any business or the exercise of any power or function  
23 of the agency and affirmative vote by a majority of the members of the  
24 agency, except as is otherwise specifically provided in this article,  
25 shall be required to exercise any power or function of the agency. Votes  
26 of any member shall be cast in person and not by proxy. The agency may  
27 delegate to one or more of its members, officers, agents and employees,  
28 such powers and duties as it deems proper.

29 The commissioner of environmental conservation [and], the commissioner  
30 of [commerce] ECONOMIC DEVELOPMENT and the secretary of state may, by  
31 official authority filed in their respective agencies, and with the  
32 Adirondack park agency, designate a deputy or other officer to exercise  
33 his OR HER powers and perform his OR HER duties, including the right to  
34 vote, on the agency.

35 S 2. This act shall take effect immediately and shall apply to the  
36 appointment of members to the Adirondack park agency on or after such  
37 date.