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

6090

2009-2010 Regular Sessions

I N A S S E M B L Y

February 25, 2009

Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the Committee on Tourism, Arts and Sports Development

AN ACT to amend the economic development law, in relation to establishing the New York state amateur sports development advisory council

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

Section 1. The economic development law is amended by adding a new article 5-B-1 to read as follows:

ARTICLE 5-B-1

NEW YORK STATE AMATEUR SPORTS DEVELOPMENT ADVISORY COUNCIL

SECTION 172-A. NEW YORK STATE AMATEUR SPORTS DEVELOPMENT ADVISORY COUNCIL ESTABLISHED.

172-B. PURPOSE OF THE COUNCIL.

172-C. POWERS OF THE COUNCIL.

S 172-A. NEW YORK STATE AMATEUR SPORTS DEVELOPMENT ADVISORY COUNCIL ESTABLISHED. 1. THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT THE NEW YORK STATE AMATEUR SPORTS DEVELOPMENT ADVISORY COUNCIL WHICH SHALL COMPRISE EIGHTEEN MEMBERS APPOINTED BY THE GOVERNOR, THREE ON THE RECOMMENDATION OF THE TEMPORARY PRESIDENT OF THE SENATE; ONE ON THE RECOMMENDATION OF THE MINORITY LEADER OF THE SENATE; THREE ON THE RECOMMENDATION OF THE SPEAKER OF THE ASSEMBLY; AND ONE ON THE RECOMMENDATION OF THE MINORITY LEADER OF THE ASSEMBLY. THE MEMBERS OF THE COUNCIL SHALL SERVE FOR TERMS OF TWO YEARS, PROVIDED, HOWEVER, THAT OF THE MEMBERS FIRST APPOINTED, NINE SHALL SERVE FOR TERMS OF TWO YEARS AND NINE SHALL SERVE FOR TERMS OF THREE YEARS. THE GOVERNOR SHALL DESIGNATE THE CHAIRMAN FROM AMONG THE MEMBERS OF THE COUNCIL. THE VICE CHAIRMAN SHALL BE ELECTED FROM AMONG THE MEMBERS OF THE COUNCIL BY THE MEMBERS OF SUCH COUNCIL, AND SHALL REPRESENT THE COUNCIL IN THE ABSENCE OF THE CHAIRMAN AT ALL OFFICIAL COUNCIL FUNCTIONS. THE CHAIR OF THE SENATE COMMITTEE ON CULTURAL AFFAIRS, TOURISM, PARKS AND RECREATION AND THE CHAIR OF THE ASSEMBLY COMMITTEE ON TOURISM, ARTS AND SPORTS DEVELOPMENT OR THEIR

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

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DESIGNATED REPRESENTATIVES, SHALL BE NON-VOTING, EX OFFICIO MEMBERS OF THE COUNCIL AND SHALL RECEIVE NO ADDITIONAL COMPENSATION FOR THEIR SERVICES ON THE ADVISORY COUNCIL.

2. IN APPOINTING THE MEMBERS OF THE COUNCIL, THE GOVERNOR SHALL ENSURE THAT SUCH MEMBERS INCLUDE REPRESENTATIVES OF ORGANIZATIONS THAT SPONSOR AND PROMOTE AMATEUR SPORTS ACTIVITIES IN THE STATE INCLUDING, BUT NOT LIMITED TO, BUSINESSES, CONVENTION BUREAUS, CULTURAL INSTITUTIONS, PARKS AND ATTRACTIONS, SCHOOLS, CLUBS, COLLEGES AND UNIVERSITIES, RESTAURANTS, WATER-BASED RECREATION FACILITIES, CAMPGROUNDS, SKI FACILITIES, WINERIES, HALLS OF FAME, TRAVEL AGENTS AND TRANSPORTATION COMPANIES.

3. THE MEMBERS OF THE COUNCIL SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES AS COUNCIL MEMBERS.

4. THE COUNCIL SHALL MEET AT LEAST FIVE TIMES A YEAR INCLUDING NO LESS THAN THREE TIMES BETWEEN JANUARY FIRST AND MAY THIRTY-FIRST, AT THE CALL OF THE COMMISSIONER OR THE CHAIRMAN OF THE COUNCIL.

5. UNLESS A MEMBER HAS BEEN EXCUSED FROM ATTENDANCE AT SUCH MEETINGS BY THE CHAIRMAN OR VICE-CHAIRMAN UPON GOOD CAUSE BEING SHOWN, ANY MEMBER WHO FAILS TO ATTEND THREE CONSECUTIVE MEETINGS SHALL BE DEEMED TO HAVE RESIGNED. ANY VACANCY ON THE COUNCIL SHALL BE FILLED FOR THE REMAINING TERM OF THE INDIVIDUAL REPLACED. THE APPOINTMENT TO FILL SUCH VACANCY SHALL BE MADE IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT WAS MADE.

6. THE DEPARTMENT SHALL PROVIDE NECESSARY TECHNICAL AND STAFF ASSISTANCE TO THE COUNCIL. ALL REASONABLE REQUESTS BY THE COUNCIL FOR INFORMATION, COOPERATION, OR ASSISTANCE TO CARRY OUT THE PURPOSES OF THIS ARTICLE SHALL BE PROVIDED BY ANY OTHER DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, AUTHORITY OR AGENCY OF THE STATE.

S 172-B. PURPOSE OF THE COUNCIL. THE PURPOSES OF THE COUNCIL SHALL BE TO ADVISE THE COMMISSIONER CONCERNING AMATEUR SPORTS PROMOTIONS, TO LINK TOURISM RESOURCES TO AMATEUR SPORTS PROMOTION AND TO SERVE AS LIAISON BETWEEN THE STATE'S AMATEUR SPORTS CLUBS AND ORGANIZATIONS AND THE COMMISSIONER WITH RESPECT TO COORDINATING THE DESIGN AND IMPLEMENTATION OF THE STATE'S AMATEUR SPORTING EVENT PROMOTION POLICIES AND PROGRAMS.

S 172-C. POWERS OF THE COUNCIL. THE COUNCIL SHALL HAVE THE FOLLOWING POWERS:

1. TO IDENTIFY AND REVIEW AMATEUR SPORTS ACTIVITIES, COORDINATING SCHEDULING AND USE OF VENUES, AND CURRENT STATE POLICIES AND PROGRAMS WHICH DIRECTLY OR INDIRECTLY AFFECT THE PROMOTION OF AMATEUR SPORTING EVENTS IN THE STATE AND, AS APPROPRIATE, RECOMMEND THE ADOPTION OF NEW, OR THE MODIFICATION OF EXISTING, POLICIES AND PROGRAMS;

2. TO ADVISE THE DEPARTMENT IN ITS PROMOTION AND DEVELOPMENT OF AMATEUR SPORTING TOURNAMENTS AND EVENTS, FACILITIES AND RELATED SERVICES IN THE STATE; TO PROVIDE GUIDANCE AND ASSISTANCE TO LOCAL AMATEUR SPORTS CLUBS AND ORGANIZATIONS; AND TO PROVIDE CENTRAL INVENTORY OF VENUES, A STATEWIDE SCHEDULE OF AMATEUR SPORTING EVENTS AND A CENTRAL RESOURCE FOR SUCH SPORTING EVENT INFORMATION;

3. TO ADVISE THE DEPARTMENT IN THE DEVELOPMENT AND IMPLEMENTATION OF THE STATE'S AMATEUR SPORTS MARKETING AND BUSINESS DEVELOPMENT PROGRAM, INCLUDING LONG-RANGE STRATEGIES FOR ATTRACTING AMATEUR SPORTS ENTHUSIASTS TO THE STATE;

4. TO ADVISE THE DEPARTMENT, THE GOVERNOR AND THE LEGISLATURE CONCERNING RECOMMENDED LEGISLATION NECESSARY TO FOSTER AND PROMOTE THE EXPANSION AND DEVELOPMENT OF AMATEUR SPORTING EVENTS WITHIN THE STATE;

5. TO ADVISE THE DEPARTMENT, THE GOVERNOR AND THE LEGISLATURE CONCERNING EXISTING LAWS, RULES, REGULATIONS AND PRACTICES OF STATE AGENCIES

WHICH ARE COUNTER-PRODUCTIVE OR INIMICAL TO THE EXPANSION AND DEVELOPMENT OF AMATEUR SPORTING EVENTS WITHIN THE STATE; AND

6. TO ASSIST THE DEPARTMENT IN OBTAINING INFORMATION NECESSARY FOR THE DEVELOPMENT AND IMPROVEMENT OF STATE POLICIES AND PROGRAMS AFFECTING THE PROMOTION OF AMATEUR SPORTING EVENTS AND RELATED INDUSTRIES IN THE STATE.

S 2. Reporting requirements. The chair of the New York state advisory council shall report, on or before March first next succeeding such council's initial convening and annually thereafter, to the governor and the legislature and make appropriate recommendations consistent with the purposes of this act.

S 3. This act shall take effect immediately.