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

6400--A

Cal. No. 439

2009-2010 Regular Sessions

I N A S S E M B L Y

March 3, 2009

Introduced by M. of A. ORTIZ, ALFANO -- Multi-Sponsored by -- M. of A. BARRA -- read once and referred to the Committee on Health -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the public health law, in relation to the minority health council

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

Section 1. Section 243 of the public health law, as added by chapter 757 of the laws of 1992 and as renumbered by chapter 443 of the laws of 1993, is amended to read as follows:

S 243. Minority health council. 1. Appointment of members. There shall be established in the office of minority health a minority health council to consist of [the commissioner and fourteen members to be appointed by the governor with the advice and consent of the senate] SEVENTEEN MEMBERS TO BE APPOINTED BY JULY FIRST, TWO THOUSAND ELEVEN. NINE MEMBERS SHALL BE APPOINTED BY THE GOVERNOR, THREE BY THE TEMPORARY PRESIDENT OF THE SENATE, THREE BY THE SPEAKER OF THE ASSEMBLY, ONE BY THE MINORITY LEADER OF THE SENATE AND ONE BY THE MINORITY LEADER OF THE ASSEMBLY. Membership on the council shall be reflective of the diversity of the state's population including, but not limited to, the various minority populations throughout the state.

2. Terms of office; vacancies. a. The terms of office of members of the minority health council shall be six years. The members of the council shall continue in office until the expiration of their terms and until their successors are appointed and have qualified. Such appointments shall be made [by the governor, with the advice and consent of the senate,] within one year following the expiration of such terms.

b. [Vacancies shall be filled by appointment by the governor for the unexpired terms within one year of the date upon which such vacancies occur. Any vacancy existing on the effective date of paragraph c of

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

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this subdivision shall be filled by appointment within one year of such effective date.

c. In making appointments to the council, the governor shall seek to ensure that membership on the council reflects the diversity of the state's population including, but not limited to the various minority populations throughout the state.] VACANCIES SHALL BE FILLED BY THE APPOINTING OFFICIAL WHO ORIGINALLY APPOINTED SUCH MEMBER WITHIN ONE YEAR OF THE DATE UPON WHICH SUCH VACANCIES OCCUR.

3. Meetings. a. The minority health council shall meet as frequently as its business may require, and at least twice in each year.

b. The governor shall designate one of [the members of the public health council as its chair] HIS OR HER APPOINTEES TO BE CHAIRPERSON OF THE COUNCIL.

4. Compensation and expenses. The members of the council shall serve without compensation other than reimbursement of actual and necessary expenses.

5. Powers and duties. The minority health council shall[, at the request of the commissioner,] consider any matter relating to the preservation and improvement of minority health, and [may] SHALL advise the commissioner thereon; and it [may] SHALL, from time to time, submit to the commissioner, any recommendations relating to the preservation and improvement of minority health.

S 2. This act shall take effect immediately.