

807

2009-2010 Regular Sessions

I N   S E N A T E

January 16, 2009

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Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the public officers law and the New York city charter, in relation to allowing certain individuals to become members of community boards in the city of New York

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

1     Section 1. Subdivision 1 of section 3 of the public officers law, as  
2 amended by chapter 44 of the laws of 1982, is amended to read as  
3 follows:  
4     1. No person shall be capable of holding a civil office who shall not,  
5 at the time he OR SHE shall be chosen thereto, have attained the age of  
6 eighteen years, except that in the case of youth boards, youth commis-  
7 sions [or], recreation commissions, OR COMMUNITY BOARDS IN THE CITY OF  
8 NEW YORK only, members of such boards or commissions may be under the  
9 age of eighteen years, but must have attained the age of sixteen years  
10 on or before appointment to such youth board, youth commission [or],  
11 recreation commission, OR COMMUNITY BOARD IN THE CITY OF NEW YORK, be a  
12 citizen of the United States, a resident of the state, and if it be a  
13 local office, a resident of the political subdivision or municipal  
14 corporation of the state for which he OR SHE shall be chosen, or within  
15 which the electors electing him OR HER reside, or within which his OR  
16 HER official functions are required to be exercised, or who shall have  
17 been or shall be convicted of a violation of the selective draft act of  
18 the United States, enacted May eighteenth, nineteen hundred seventeen,  
19 or the acts amendatory or supplemental thereto, or of the federal selec-  
20 tive training and service act of nineteen hundred forty or the acts  
21 amendatory thereof or supplemental thereto.

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

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1 S 2. Subdivision a of section 2800 of the New York city charter, as  
2 amended by a vote of the people of the city of New York at the general  
3 election held in November of 1989, is amended to read as follows:

4 a. For each community district created pursuant to chapter sixty-nine  
5 there shall be a community board which shall consist of (1) not more  
6 than fifty persons appointed by the borough president for staggered  
7 terms of two years, at least one-half of whom shall be appointed from  
8 nominees of the council members elected from council districts which  
9 include any part of the community district, and (2) all such council  
10 members as non-voting members. The number of members appointed on the  
11 nomination of each such council member shall be proportional to the  
12 share of the district population represented by such council member. The  
13 city planning commission, after each council redistricting pursuant to  
14 chapter two-A, and after each community redistricting pursuant to  
15 section twenty-seven hundred two, shall determine the proportion of the  
16 community district's population represented by each council member.  
17 Copies of such determinations shall be filed with the appropriate  
18 borough president, community board, and council member. One-half of the  
19 members appointed to any community board shall serve for a term of two  
20 years beginning on the first day of April in each odd-numbered year in  
21 which they take office and one half of the members appointed to any  
22 community board shall serve for a term of two years beginning on the  
23 first day of April in each even-numbered year in which they take office.  
24 Members shall serve until their successors are appointed but no member  
25 may serve for more than sixty days after the expiration of his or her  
26 original term unless reappointed by the borough president. Not more than  
27 twenty-five percent of the appointed members shall be city employees. NO  
28 MORE THAN TWO MEMBERS SHALL BE LESS THAN EIGHTEEN YEARS OF AGE. No  
29 person shall be appointed to or remain as a member of the board who does  
30 not have a residence, business, professional or other significant inter-  
31 est in the district. The borough president shall assure adequate repre-  
32 sentation from the different geographic sections and neighborhoods with-  
33 in the community district. In making such appointments, the borough  
34 president shall consider whether the aggregate of appointments fairly  
35 represents all segments of the community. Community boards, civic groups  
36 and other community groups and neighborhood associations may submit  
37 nominations to the borough president and to council members.

38 S 3. This act shall take effect immediately.