

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

8826--A

I N A S S E M B L Y

(PREFILED)

January 4, 2012

Introduced by M. of A. PEOPLES-STOKES -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the parks, recreation and historic preservation law, in relation to the membership of the Michigan Street African American Heritage Corridor commission; in relation to extending draft management plan submission dates; and to amend chapter 595 of the laws of 2007 amending the parks, recreation and historic preservation law relating to establishing the Michigan Street African American Heritage Corridor commission in Buffalo, in relation to the effectiveness thereof

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

1 Section 1. The opening paragraph of section 41.05 of the parks, recre-
2 ation and historic preservation law, as added by chapter 595 of the laws
3 of 2007, is amended to read as follows:
4 The commission is hereby established as a not-for-profit corporation.
5 The commission shall be governed by the not-for-profit corporation law
6 except where such law conflicts with this article, in which case the
7 provisions of this article shall govern. The commission shall consist of
8 up to eleven voting members and [six] SEVEN non-voting ex-officio
9 members. One member each shall be appointed by the governor, the tempo-
10 rary president of the senate, and the speaker of the assembly. Other
11 members shall include the mayor of the city of Buffalo, or his or her
12 designee, a representative of museum studies at the state university of
13 New York College at Buffalo, two representatives of the department of
14 Afro-American studies at the state university of New York at Buffalo, a
15 representative from the Monroe Fordham regional history center at the
16 state university of New York College at Buffalo, and a representative
17 from each board governing the J. Edward Nash House, [the Michigan Street
18 Baptist Church,] THE LANGSTON HUGHES INSTITUTE, and the Colored Musi-

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

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1 cians Club. All appointments shall be residents of the city of Buffalo,
2 but the commission has the authority to waive this requirement at its
3 discretion. In addition, [six] SEVEN non-voting MEMBERS shall serve
4 ex-officio: the secretary of state, the commissioners of the office of
5 parks, recreation and historic preservation, environmental conservation,
6 economic development and education, [and] the president of the city of
7 Buffalo's convention and visitor's bureau, or their designees, AND A
8 REPRESENTATIVE OF THE MICHIGAN STREET BAPTIST CHURCH. Appointments to
9 the commission shall be filed with the commissioner who shall convene
10 the first meeting of the commission following the filing of a majority
11 of the appointments. At the initial meeting, the members of the commis-
12 sion shall elect officers.

13 S 2. Subdivision 2 of section 41.09 of the parks, recreation and
14 historic preservation law, as amended by chapter 438 of the laws of
15 2011, is amended to read as follows:

16 2. The draft management plan shall be submitted to the commissioner
17 for approval by [December thirty-first, two thousand eleven] JULY THIR-
18 TY-FIRST, TWO THOUSAND THIRTEEN. Prior to submitting the plan to the
19 commissioner, the legislative representative body of the city of Buffalo
20 must approve the plan. The legislative body of the city of Buffalo, at
21 its discretion and in the interest of expediting the local approval
22 process, shall hold two public meetings at any time during the local
23 approval process. The commissioner may approve the plan, may return the
24 plan to the commission with recommendations for approval, or may reject
25 the plan. A copy of the approved plan shall be provided to the governor,
26 the temporary president of the senate and the speaker of the assembly.

27 S 3. Section 3 of chapter 595 of the laws of 2007, amending the parks,
28 recreation and historic preservation law relating to establishing the
29 Michigan Street African American Heritage Corridor commission in
30 Buffalo, is amended to read as follows:

31 S 3. This act shall take effect immediately, provided that section two
32 of this act shall expire and be deemed repealed [April 30, 2012] DECEM-
33 BER 31, 2013.

34 S 4. This act shall take effect immediately and shall be deemed to
35 have been in full force and effect on and after December 31, 2011;
36 provided that the amendments to the opening paragraph of section 41.05
37 of the parks, recreation and historic preservation law made by section
38 one of this act and to subdivision 2 of section 41.09 of the parks,
39 recreation and historic preservation law made by section two of this act
40 shall not affect the repeal of such article and shall be deemed repealed
41 therewith.