

PURSUANT TO THIS PROGRAM THAT SHALL PROMOTE NEW YORK AS A PREMIERE PRODUCER OF HIGH QUALITY WINES, SPIRITS AND CRAFT BREWS.

S 181-I. NEW YORK CRAFT BEVERAGE COUNCIL. 1. (A) THE COMMISSIONER, IN ACCORDANCE WITH THIS PROGRAM, SHALL CAUSE TO BE DEVELOPED A NEW YORK CRAFT BEVERAGE COUNCIL TO BE TASKED WITH BRANDING, MARKETING AND PROMOTING FINE NEW YORK STATE WINES, SPIRITS AND CRAFT BEVERAGES. THE NEW YORK CRAFT BEVERAGE COUNCIL SHALL BE MANAGED BY AND ITS POWERS, FUNCTIONS AND DUTIES SHALL BE EXERCISED THROUGH A BOARD OF DIRECTORS.

(B) THE INITIAL BOARD OF DIRECTORS SHALL CONSIST OF NINE MEMBERS: FIVE OF WHICH SHALL BE APPOINTED BY THE GOVERNOR; TWO OF WHICH SHALL BE APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE; AND TWO OF WHICH SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY. OF THE NINE MEMBERS, ONE SHALL BE AN OFFICER OR OWNER OF A WINERY, ONE SHALL BE AN OFFICER OR OWNER OF A DISTILLERY, ONE SHALL BE AN OFFICER OR OWNER OF A MICROBREWERY, ONE SHALL BE AN OFFICER OR OWNER OF A LIQUOR STORE, ONE SHALL BE AN OFFICER OR OWNER OF A BEER DISTRIBUTOR, ONE SHALL BE AN OFFICER OR OWNER OF A FARM DISTILLERY, ONE SHALL BE AN OFFICER OR OWNER OF A BREW PUB, ONE SHALL BE THE OWNER OR OFFICER OF A RESTAURANT LICENSED TO SELL FINE NEW YORK WINES, SPIRITS AND CRAFT BREWS, AND ONE SHALL BE A PERSON FAMILIAR WITH THE ADVERTISING, PROMOTION AND MARKETING OF COMMERCIAL PRODUCTS. THE DIRECTORS SO APPOINTED SHALL SERVE A TERM OF THREE YEARS, EXCEPT THAT, OF THE DIRECTORS SO APPOINTED BY THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY, THE OWNER OR OFFICER OF A DISTILLERY, THE OWNER OR OFFICER OF A BEER DISTRIBUTOR AND THE OWNER OR OFFICER OF A RESTAURANT SHALL SERVE FOR ONE YEAR, THE OWNER OR OFFICER OF A BREWERY, THE OWNER OR OFFICER OF A LIQUOR STORE AND THE OWNER OR OFFICER OF A BREW PUB SHALL SERVE FOR TWO YEARS, AND THE OWNER OR OFFICER OF A WINERY, THE OWNER OR OFFICER OF A FARM DISTILLERY AND THE PERSON FAMILIAR WITH ADVERTISING, PROMOTION AND MARKETING OF COMMERCIAL PRODUCTS SHALL SERVE FOR THREE YEARS.

(C) THE CHAIR OF THE URBAN DEVELOPMENT CORPORATION SHALL SERVE AS CHAIR OF THE COUNCIL.

(D) MEMBERSHIP WILL BE DEFINED AS MEMBERS IN GOOD STANDING PER THE BYLAWS OF THE NEW YORK CRAFT BEVERAGE COUNCIL. EACH MEMBER WILL CONTRIBUTE ANNUAL DUES TO THE COUNCIL TO BE DETERMINED BY THE BOARD OF DIRECTORS.

(E) THE EXECUTIVE DIRECTOR OF THE NEW YORK CRAFT BEVERAGE COUNCIL SHALL HAVE PREVIOUS EXPERIENCE IN MARKETING CRAFT BEVERAGES, EVENT PLANNING AND BRAND MANAGEMENT AND WILL BE APPOINTED BY THE BOARD OF DIRECTORS, DECIDED BY A MAJORITY VOTE. THE EXECUTIVE DIRECTOR WILL SERVE AS AN "AT WILL" EMPLOYEE AT THE DISCRETION OF THE BOARD OF DIRECTORS.

(F) IF ANY VACANCY OTHER THAN BY EXPIRATION OF TERM OCCURS ON THE BOARD AMONGST THOSE FIRST APPOINTED SUCH VACANCY SHALL BE FILLED BY APPOINTMENT FOR THE UNEXPIRED TERM BY THE APPOINTING AUTHORITY INITIALLY APPOINTING SUCH MEMBER. UPON EXPIRATION OF THE INITIAL TERMS, SUCCESSORS SHALL BE ELECTED BY THE REMAINING MEMBERS OF THE BOARD FOR A THREE YEAR TERM; SUCH DIRECTORS SHALL HAVE THE QUALIFICATIONS REQUIRED OF THE ORIGINAL DIRECTORS.

MEMBERS SHALL CONTINUE AS SUCH UNTIL THEIR SUCCESSORS HAVE BEEN DULY ELECTED.

(G) MEMBERS OF THE BOARD OF DIRECTORS SHALL SERVE WITHOUT COMPENSATION, BUT SHALL BE REIMBURSED FOR ACTUAL EXPENSES REASONABLY INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

(H) THE BOARD SHALL MEET FOUR TIMES ANNUALLY AT THE CALL OF THE CHAIRMAN OR IN HIS ABSENCE THE VICE CHAIRMAN OR ON PETITION OF ANY THREE MEMBERS. A MAJORITY OF THE MEMBERS OF THE BOARD THEN IN OFFICE SHALL

1 CONSTITUTE A QUORUM FOR THE TRANSACTION OF ANY BUSINESS. THE BOARD IS
2 ENCOURAGED TO CONDUCT ITS MEETINGS IN A MANNER WHICH WILL ENSURE THE
3 ACTIVE PARTICIPATION OF ANY PERSON HAVING AN INTEREST IN THE CRAFT
4 BEVERAGE INDUSTRY.

5 (I) THE NEW YORK CRAFT BEVERAGE COUNCIL IS CHARGED WITH CREATING BRAND
6 RECOGNITION FOR FINE NEW YORK WINES, SPIRITS AND CRAFT BREWS. IN DOING
7 SO THEY SHALL WORK TO MARKET NEW YORK STATE LABELED CRAFT BEVERAGES BOTH
8 WITHIN AND OUTSIDE OF NEW YORK STATE WITH THE GOAL OF PROMOTING NEW YORK
9 CRAFT BEVERAGES.

10 (J) THE NEW YORK CRAFT BEVERAGE COUNCIL SHALL, BY ONE YEAR FOLLOWING
11 THE EFFECTIVE DATE OF THIS ARTICLE, SUBMIT A PRELIMINARY REPORT TO THE
12 GOVERNOR AND THE LEGISLATURE WITH AN ASSESSMENT OF MARKETING AND
13 PROMOTION STRATEGIES TO IMPLEMENT THIS ARTICLE.

14 2. (A) (I) REGIONAL ADVISORY BOARDS SHALL BE ESTABLISHED, WHOSE
15 MEMBERS SHALL WORK WITH THE NEW YORK CRAFT BEVERAGE COUNCIL. THERE SHALL
16 BE FIVE REGIONAL MEMBERS OF THE ADVISORY BOARD FOR EACH REGION ESTAB-
17 LISHED PURSUANT TO THIS SECTION. FOR EACH REGION, ONE REGIONAL MEMBER
18 SHALL BE APPOINTED BY THE GOVERNOR, TWO REGIONAL MEMBERS SHALL BE
19 APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE, AND TWO REGIONAL
20 MEMBERS SHALL BE APPOINTED BY THE SPEAKER OF THE ASSEMBLY. REGIONAL
21 ADVISORY BOARD MEMBERS SHALL HAVE THE QUALIFICATIONS REQUIRED OF THE
22 BOARD OF DIRECTORS.

23 (II) REGIONAL MEMBERS SHALL NOT BE CONSIDERED TO BE MEMBERS OF THE
24 COUNCIL FOR PURPOSES OF PARTICIPATION IN COUNCIL MEETINGS, EXCEPT WHERE
25 ITEMS RELATING SPECIFICALLY TO THAT MEMBER'S REGION ARE ON THE AGENDA OF
26 A COUNCIL MEETING.

27 (B) FOR THE PURPOSES OF THIS ARTICLE, THERE SHALL BE TEN REGIONS:

28 (I) WESTERN NEW YORK, CONSISTING OF ALLEGANY, CATTARAUGUS, CHAUTAUQUA,
29 ERIE AND NIAGARA COUNTIES;

30 (II) FINGER LAKES, CONSISTING OF GENESEE, LIVINGSTON, MONROE, ONTARIO,
31 ORLEANS, SENECA, WAYNE, WYOMING AND YATES COUNTIES;

32 (III) SOUTHERN TIER, CONSISTING OF BROOME, CHEMUNG, CHENANGO, DELA-
33 WARE, SCHUYLER, STEUBEN, TIOGA AND TOMPKINS COUNTIES;

34 (IV) CENTRAL NEW YORK, CONSISTING OF CAYUGA, CORTLAND, MADISON, ONON-
35 DAGA AND OSWEGO COUNTIES;

36 (V) MOHAWK VALLEY, CONSISTING OF FULTON, HERKIMER, MONTGOMERY, ONEIDA,
37 OTSEGO AND SCHOHARIE COUNTIES;

38 (VI) NORTH COUNTRY, CONSISTING OF CLINTON, ESSEX, FRANKLIN, HAMILTON,
39 JEFFERSON, LEWIS AND ST. LAWRENCE COUNTIES;

40 (VII) CAPITAL REGION, CONSISTING OF ALBANY, COLUMBIA, GREENE, SARATO-
41 GA, SCHENECTADY, RENSSELAER, WARREN AND WASHINGTON COUNTIES;

42 (VIII) MID-HUDSON, CONSISTING OF DUTCHESS, ORANGE, PUTNAM, ROCKLAND,
43 SULLIVAN, ULSTER AND WESTCHESTER COUNTIES;

44 (IX) NEW YORK CITY, CONSISTING OF BRONX, KINGS, NEW YORK, RICHMOND AND
45 QUEENS COUNTIES;

46 (X) LONG ISLAND, CONSISTING OF NASSAU AND SUFFOLK COUNTIES.

47 (C) REGIONAL ADVISORY BOARD MEMBERS SHALL SERVE WITHOUT COMPENSATION,
48 AND SHALL HAVE THEIR PRINCIPAL RESIDENCE WITHIN THE REGION FOR WHICH
49 THEY ARE APPOINTED. SUCH REGIONAL ADVISORY BOARD MEMBERS MAY SOLICIT
50 INPUT FROM STAKEHOLDER INTERESTS WITHIN THEIR REGION, INCLUDING BUT NOT
51 LIMITED TO LOCAL GOVERNMENTS, COMMUNITY ORGANIZATIONS, CHAMBERS OF
52 COMMERCE, BEVERAGE DISTRIBUTORS, WINERIES, DISTILLERIES, MICROBREWERIES,
53 RESTAURANTS, AND CONSUMERS AND SHALL TRANSMIT TO THE COUNCIL A REPORT
54 CONTAINING ANY RECOMMENDATIONS SPECIFIC TO THEIR REGION ONE HUNDRED
55 EIGHTY DAYS FOLLOWING THE EFFECTIVE DATE OF THIS SECTION.

56 S 2. This act shall take effect immediately.