STATE OF NEW YORK

8703--A

Cal. No. 611

2017-2018 Regular Sessions

IN ASSEMBLY

October 5, 2017

Introduced by M. of A. D'URSO, ORTIZ, McDONALD, M. G. MILLER, THIELE, GALEF, CUSICK, CROUCH, LAWRENCE, ZEBROWSKI, COLTON, MONTESANO, NORRIS, RA, MORINELLO -- Multi-Sponsored by -- M. of A. HAWLEY, SCHIMMINGER, SIMON -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the public health law, in relation to filling vacancies on a board of visitors for state veterans' homes

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 2631 of the public health law, as amended by chapter 563 of the laws of 1990, is amended to read as follows:

§ 2631. Board of visitors; special provision. The board of visitors of each such home shall consist of nine members appointed from the members of the New York departments of the major organizations of war veterans to which charters have been issued by Acts of Congress or of their women's auxiliaries. The terms of office of such visitors hereafter appointed shall be five years, and they shall be so appointed that the terms of two of the members shall expire on the first day of February of each year, except that the term of but one member shall so expire every fifth year. Appointments shall be so made that there will be at all times four women and five men members of such board. **For state veterans' homes operated by the department, in the event that a vacancy is not filled within two hundred seventy days, the board may appoint an interim member who otherwise meets the requirements of this section. The interim member shall have the same rights and duties as an appointed member and shall serve until such time that a nomination is forwarded to the senate for advise and consent. A quorum is not required for purposes**

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

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of the board appointing an interim member, so long as a majority of all current members and those serving in a hold-over capacity vote in favor of the interim appointment. For the purposes of this section, "hold-over capacity" shall mean any member whose term has expired but who continues to discharge his or her duties until his or her successor is chosen.

§ 2. This act shall take effect January 1, 2019, and shall apply to any vacancy existing on or after such effective date.