STATE OF NEW YORK

1080--B

Cal. No. 34

2023-2024 Regular Sessions

IN ASSEMBLY

January 13, 2023

Introduced by M. of A. WOERNER, STIRPE, LUPARDO, CRUZ, ZINERMAN, JONES, BRABENEC, ANGELINO, BYRNES, MILLER, SAYEGH, TAGUE, MANKTELOW, J. M. GIGLIO, LEMONDES, COOK, GOODELL, RAGA, BUTTENSCHON, SANTABARBARA -- read once and referred to the Committee on Governmental Operations -- 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 -- ordered 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 special order of third reading

AN ACT to amend the executive law, in relation to the appointment for agricultural representation on the state fire prevention and building code council

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

Section 1. Subdivision 1 of section 374 of the executive law, as added by chapter 707 of the laws of 1981, the opening paragraph as amended by chapter 309 of the laws of 1996, paragraph a as amended by chapter 374 of the laws of 2022, and subdivision c as amended by chapter 920 of the laws of 1985, is amended to read as follows:

1. There is hereby created and established in the department of state a council, to be known as the state fire prevention and building code council. Such council shall consist of the secretary of state, as chairman, the state fire administrator and [~~fifteen~~] **sixteen** other members to be appointed as follows:

a. Two members, to be appointed by the governor, from among the commissioners of the departments of economic development, environmental conservation, corrections and community supervision, education, health, labor, mental health and social services, office of general services, division of housing and community renewal, the president of the New York

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

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state energy research and development authority, and the superintendent of financial services.

b. Six members, to be appointed by the governor, one of whom shall be an elected official of a city with a population over one million, one of whom shall be an elected official of another city with a population over one hundred thousand, one of whom shall be an elected official of any other city, one of whom shall be an elected county official, one of whom shall be an elected town official, and one of whom shall be an elected village official.

c. [~~Seven~~] **Eight** members, to be appointed by the governor with the advice and consent of the senate, one of whom shall be a fire service official, one of whom shall be a registered architect, one of whom shall be a professional engineer, one of whom shall be a code enforcement official, one of whom shall represent builders, one of whom shall represent trade unions, **one of whom shall represent agricultural producers,** and one of whom shall be a person with a disability as defined in section two hundred ninety-two of this chapter who would directly benefit from the provisions of article thirteen of the state uniform fire prevention and building code. The registered architect and professional engineer shall be duly licensed to practice their respective professions in the state of New York. After the certification of code enforcement personnel pursuant to this chapter shall have begun said code enforcement official shall be so certified.

§ 2. This act shall take effect immediately.