STATE OF NEW YORK

7628

2023-2024 Regular Sessions

IN SENATE

August 11, 2023

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to establishing a Finger Lakes commission

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

Section 1. The executive law is amended by adding a new article 37-A to read as follows:

ARTICLE 37-A
FINGER LAKES COMMISSION

Section 848. Statement of legislative findings and purpose.
848-a. Finger Lakes commission established.
848-b. Finger Lakes commission power and duties.
848-c. Compensation.
848-d. Reports.
848-e. Commission staff; benefits.

§ 848. Statement of legislative findings and purpose. The legislature hereby finds that the Finger Lakes region spans fourteen counties and approximately nine thousand square miles that encompasses towns, villages, and cities spread across a landscape comprised of numerous freshwater sources, one Great Lake, and mineral-rich soil that makes it among the most desirable agricultural settings in the northeast. The core of the region consists of the Finger Lakes watershed, eleven glacial freshwater lakes and their watersheds. This area includes three of the ten largest lakes in New York state. This watershed is important to New York state as a municipal water supply for two million residents, as wildlife and plant habitat, as a resource supporting agriculture, recreation, and tourism, and offers more traditional land uses such as hunting and fishing. In two thousand twenty-one, New York state was the

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

LBD10202-03-3

fifth-largest dairy producer in the United States, largely supported by agriculture in this region. Rich in agritourism, the area also contains more than one hundred wineries, contributing to the industry grossing 3.76 billion dollars in wine retail annually. Due to the vastness of the region, its centrality to public health, its economic value, and its unique geological character, the legislature finds that the creation of a Finger Lakes commission is essential in assisting local governments and organizations in preserving the resources of the region for future generations.

The legislature finds that a Finger Lakes commission would unify the multitudinous local governments and six hundred fifty miles of shoreline under a common set of beliefs and characteristics unique to this region of New York state. The commission would assist these local and municipal bodies to develop overarching, appropriate environmental regulations for the benefit of the more than two million residents of the region. The commission would provide technical assistance to the region's local governments and report to stakeholders across the state regarding the conservation and development of the Finger Lakes region. In providing this assistance, its purpose would be to enable local governments, private organizations, and individuals to shape the future of the Finger Lakes region with a focus on conserving its resources and natural beauty, strengthening the local economy, increasing employment, preserving cultural and social character, and improving the general well-being of residents in the area. By uniting the leaders and stakeholders of the region while still maintaining its distinct values and way of life, the commission would be more suited to resolving issues particular to the region and capitalizing on its strengths.

For many years, the Tug Hill commission, a similar body, has served that region's local governments very well. The Tug Hill commission has a strong track record demonstrating its importance in working with towns and villages to develop appropriate community and economic development and resource protection. The Finger Lakes commission will similarly supplement the important work of local governments across the Finger Lakes, to the betterment of the whole region.

It is the purpose of this article to provide municipal assistance, conservation, preservation and development in the region by establishing the Finger Lakes commission, in order to serve those local government and regional needs, now and in the future.

§ 848-a. Finger Lakes commission established. 1. There is hereby established the Finger Lakes commission, hereinafter referred to as the commission, to consist of fourteen members to be appointed as follows: six by the governor, four by the temporary president of the senate, and four by the speaker of the assembly. As used in this article, the term "commission" shall mean the Finger Lakes commission established pursuant to this section.

2. All of the appointees of the commission shall be residents of the Finger Lakes region. One member of the commission shall be appointed from each county in the Finger Lakes region and shall be a resident thereof. For the purposes of this article, the term "Finger Lakes region" shall mean the region including all of the following counties: Cayuga county, Chemung county, Cortland county, Livingston county, Monroe county, Onondaga county, Ontario county, Schuyler county, Seneca county, Steuben county, Tioga county, Tompkins county, Wayne county, and Yates county.

3. The term of office of each member of the commission shall be for five years, and each member shall hold office until a successor has been

appointed and qualified. Vacancies in membership of the commission occurring from any cause shall be filled by the officer authorized to make the original appointment of the member whose office becomes vacant.

4. The commission shall choose from among its members a chairman, vice-chairman and secretary.

§ 848-b. Finger Lakes commission power and duties. The commission shall have the following powers and duties:

1. To adopt and use a seal; to sue and be sued; to appoint and remove officers, agents and employees and determine their qualifications, duties and compensation; to acquire, hold and dispose of personal property; to retain or employ counsel, private consultants, and independent contractors; to make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this article.

2. To prepare, publish and disseminate information or reports to highlight for state agencies, local governments, and the general public issues, problems, and opportunities relevant to the Finger Lakes region, in concert with state and federal agencies and others.

3. To stimulate action by public and private organizations on regionwide issues, problems and opportunities that affect the Finger Lakes region, with primary emphasis on possible solutions at the local level and with attention to the ways in which information developed and experience gained in the Finger Lakes region may be usefully shared elsewhere in New York state.

4. To request and receive from any department, division, office, board, bureau, commission, agency, or instrumentality of the state and from any political subdivision or agency thereof, such assistance and data as will enable it to conduct its studies and investigations under this article.

5. To assist local governments and other appropriate state and local organizations, including recognized non-profits, to plan and work for a positive future, and to do so, as far as possible, through intermunicipal cooperation and through technical assistance, including planning assistance, legal assistance, training, citizen education and participation assistance, and assistance in preparation of grant applications to other entities.

6. To assist local governments and other appropriate state and local organizations to identify and implement best practices from across the Finger Lakes region, or in other regions, including but not limited to the following areas: watershed management, control of invasive species, historic preservation, rural transportation, economic development, and sustainability efforts.

7. To work with federal, state, and local partners to create and implement the designation of the Finger Lakes National Heritage Area designation, including supporting work by other state agencies.

8. To serve a coordinating role in utilizing the capabilities of other organizations to carry out the duties prescribed in this section.

9. To establish a central clearinghouse for technical studies, which may be used by members of the public, local governments, and state agencies in addressing state and regionwide resource conservation and development issues.

10. To develop agreements with local, county, or regional agencies to provide staff services; through grants or contracts to help finance services for intermunicipal cooperation; to provide planning services in conjunction with county planning departments and regional planning

boards, and to provide supplementary technical assistance and educational services through public or private groups.

11. To apply for and receive from the federal and state government and public and private agencies, funds to accomplish the purposes of the commission and to solicit, receive and utilize gifts and donations of any kind from any source.

12. To assist municipalities in preparing and adopting comprehensive planning programs, including appropriate laws, ordinances and codes.

13. To enter into agreements for the extension of its powers and duties to other local governments, in concert with local, state and federal agencies and others.

14. To lease and manage real property, solely for the purpose of providing for the official offices of the Finger Lakes commission.

§ 848-c. Compensation. The members of the Finger Lakes commission shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred in the performance of their duties under this article within the amount available therefor by appropriation. Notwithstanding any inconsistent provisions of law, general, special or local, no officer or employee of the state or of any civil division thereof, shall be deemed to have forfeited or shall forfeit his or her office or employment by reason of his or her acceptance of membership on the Finger Lakes commission.

§ 848-d. Reports. The Finger Lakes commission shall report on its progress in relation to its legislative purpose to the governor and to the legislature annually on or before the thirty-first day of March of each year. The Finger Lakes commission shall also report every five years on the results of a survey of local officials throughout the Finger Lakes region in regard to the effectiveness of Finger Lakes commission programs.

§ 848-e. Commission staff; benefits. The Finger Lakes commission staff shall be eligible for management and confidential benefits as are available under subdivision two of section eleven of chapter four hundred sixty of the laws of nineteen hundred eighty-two, as amended.

§ 2. This act shall take effect one year after it shall have become a law.