

Richard Brodsky for Attorney General

FOR IMMEDIATE RELEASE: July 2, 2010
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Assembly Members Richard Brodsky, Francine DelMonte, Dennis Gabryszak, Sam Hoyt and Mark Schroeder To Announce Final Passage Of War of 1812 Commission

Media Advisory

Assemblyman Richard Brodsky along with Assembly Members Francine DelMonte, Dennis Gabryszak, Sam Hoyt and Mark Schroeder will appear at the War of 1812 Cemetery on Aero Drive in Cheektowaga, NY to announce final legislative passage of legislation creating a War of 1812 Commission. The commission is intended to create and coordinate efforts across New York state to identify and celebrate historic, cultural and tourism opportunities stemming from the 200th anniversary of the War of 1812. Governor Paterson vetoed a similar bill last year. Assemblyman Brodsky negotiated small changes in the bill and secured the support of the administration for this new version. The bill has not yet been sent to the Governor for his signature. Brodsky, Hoyt, Gabryszak, DelMonte and Schroeder will issue a full release and statement at the press conference.

SUNDAY

War of 1812 Commission Press Conference

Joined by Representatives Francine DelMonte, Dennis Gabryszak, Sam Hoyt and Mark Schroeder

DATE: Sunday, July 4th
TIME: 11:15am
LOCATION: War of 1812 Cemetery
Aero Drive - Entrance
Cheektowaga, NY

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NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)

BILL NUMBER: A10027B

SPONSOR: Brodsky

TITLE OF BILL: An act to create a temporary New York state War of 1812 200th anniversary commemoration commission to promote the 200th anniversary of the War of 1812

PURPOSE OF GENERAL IDEA OF BILL: To create a temporary commission to commemorate the 200th anniversary of the War of 1812.

SUMMARY OF SPECIFIC PROVISIONS: Section 1. Legislative Findings

Section 2. Creates the commissions; defines terms.

Section 3. Composition of commission

Section 4. Powers and duties of the commission.

Section 5. Assistance to the commission.

Section 6. Commission authorized to carry out its duties.

Section 7. Commission will be repealed on December 31, 2015.

Section 8. Effective Date

JUSTIFICATION: New York State played a key role in War of 1612. Celebrating this milestone gives New Yorkers the opportunity to appreciate and reflect on our rich history. During the years 2012-2015, New York State will mark, within its borders, the 200th anniversary of the great battles of the War of 1812. New York State, it's Counties, Cities, Towns and Villages may profit, both culturally and economically, from the benefits of a statewide commission to help organize, promote and fully implement a major commemoration of the 200th Anniversary of the War of 1812. By promoting New York State's magnificent history, we can make, New York the ultimate heritage tourism destination for the years 2012-2015.

PRIOR LEGISLATIVE HISTORY:; New bill

FISCAL IMPLICATIONS: N/A

EFFECTIVE DATE: Immediately

STATE OF NEW YORK

10027--B

R. R. 104

IN ASSEMBLY

February 25, 2010

Introduced by M. of A. BRODSKY, RUSSELL, TITONE, DelMONTE, McENENY -- 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 -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to create a temporary New York state War of 1812 200th anniversary commemoration commission to promote the 200th anniversary of the War of 1812

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

1 Section 1. Legislative findings. The legislature hereby finds and
2 declares there is a need to create a New York state War of 1812 200th
3 anniversary commemoration commission to promote the 200th anniversary of
4 the War of 1812 which will take place from enactment of this legislation
5 until 2015. The primary focus of the New York state War of 1812 200th
6 anniversary commemoration commission will be to plan and execute an
7 organized series of War of 1812 reenactment tourism events. The tourism
8 events will highlight the following key sites: The Seaway Trail, Old
9 Fort Niagara, the Battle of Ogdensburg, the Battle of Plattsburgh, Fort
10 Ontario, Fort Wadsworth, and Sackets Harbor. The legislature finds that
11 the creation of a New York state War of 1812 200th anniversary commem-
12 oration commission is necessary to bring together persons qualified by
13 experience or by powers vested in them by their offices to coordinate
14 and facilitate such a multi-year event.

15 § 2. New York state War of 1812 200th anniversary commemoration
16 commission; created. 1. There is hereby created a temporary state
17 commission to be known as the "New York state War of 1812 200th anniver-
18 sary commemoration commission".

19 2. Definitions. As used in this act:

20 a. "Commission" means the New York state War of 1812 200th anniversary
21 commemoration commission created by this section.

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

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1 b. "Re-enactor" means a person who is a recognized member of a duly
2 constituted reenactment organization approved by the host site and who
3 participates in the main War of 1812 reenactment event for the year.

4 3. a. The commission shall consist of twenty-four members to be
5 appointed as follows:

6 The commissioner of parks, recreation and historic preservation or his
7 or her duly designated representative, the commissioner of education or
8 his or her duly designated representative, the commissioner of economic
9 development or his or her duly designated representative, represen-
10 tatives from The Seaway Trail, Old Fort Niagara, Fort Ontario, the
11 Battle of Ogdensburg, the Battle of Plattsburgh, Fort Wadsworth, and
12 Sackets Harbor, eight members of the War of 1812 reenactment community
13 of whom two shall be appointed by the governor, two shall be appointed
14 by the temporary president of the senate, two shall be appointed by the
15 speaker of the assembly, one shall be appointed by the minority leader
16 of the senate and one shall be appointed by the minority leader of the
17 assembly. Additionally, six representatives will be appointed from the
18 hospitality and tourism business community from the aforementioned
19 regions, two members shall be appointed by the governor, one member
20 shall be appointed by the temporary president of the senate, one member
21 shall be appointed by the speaker of the assembly, one member shall be
22 appointed by the minority leader of the senate and one member shall be
23 appointed by the minority leader of the assembly. The commissioner of
24 parks, recreation and historic preservation or his or her duly desig-
25 nated representative shall serve as chairperson of the commission. The
26 fourteen appointed members shall serve at the pleasure of the appointing
27 official. Appointments shall be made within sixty days of the effective
28 date of this act. If a member misses three meetings his or her seat
29 shall be considered vacant. Vacancies shall be filled in the manner
30 provided for in the original appointments.

31 b. Notwithstanding any inconsistent provision of any general, special
32 or local law, ordinance, resolution or charter, no officer, member or
33 employee of the state or of any public corporation shall forfeit his or
34 her office or employment by reason of his or her acceptance of appoint-
35 ment as a member of the commission, nor shall service as such commission
36 member be deemed incompatible or in conflict with such office or employ-
37 ment.

38 § 3. Powers and duties of the commission. 1. The commission shall have
39 the following powers and duties:

40 a. To coordinate the commemoration of the 200th anniversary of the War
41 of 1812 from the effective date of this act through 2015;

42 b. To plan and execute an organized series of War of 1812 reenactment
43 tourism events;

44 c. To promote War of 1812 educational studies in grades kindergarten
45 through 12 in New York state schools; and

46 2. The commission shall work with battlefields within New York state
47 and other commissions relating to the War of 1812 that are planning War
48 of 1812 reenactment events. Each battlefield shall have the authority
49 over how such events are handled.

50 § 4. The commission may meet and hold public and private hearings
51 within or without the state, and shall have all the powers of a legisla-
52 tive committee pursuant to the legislative law.

53 § 5. The commission may request and shall receive from any subdivi-
54 sion, department, board, commission, office, agency, or other instrumen-
55 tality of the state or of any political subdivision thereof such facili-
56 ties, assistance and data as it deems necessary or desirable for the

1 proper execution of its powers and duties and to effectuate the purposes
2 set forth in this act.

3 § 6. The commission is hereby authorized and empowered to enter into
4 any agreements and to do and perform any acts that may be necessary,
5 desirable or proper to carry out the purposes and objectives of this
6 act.

7 § 7. The commission shall continue in existence until December 31,
8 2015, at which time it shall be deemed to be repealed.

9 § 8. This act shall take effect immediately.