

**STATUS:**

**S6820-A YOUNG**

Parks, Recreation and Historic Preservation Law

TITLE....Establishes the Lake Erie concord grape belt region as a state designated heritage area

02/27/06 REFERRED TO TOURISM, RECREATION AND SPORTS  
DEVELOPMENT

03/28/06 AMEND AND RECOMMIT TO TOURISM, RECREATION  
AND SPORTS DEVELOPMENT

03/28/06 PRINT NUMBER 6820A

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**BILL TEXT:**

**STATE OF NEW YORK**

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**IN SENATE**

February 27, 2006

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Introduced by Sen. YOUNG -- read twice and ordered printed,  
and when

printed to be committed to the Committee on Tourism,  
Recreation and

Sports Development -- committee discharged, bill  
amended, ordered

reprinted as amended and recommitted to said committee

AN ACT to amend the parks, recreation and historic preservation  
law, in

relation to establishing the Lake Erie concord grape belt  
region as a

state designated heritage area; and to establish a Lake  
Erie grape

belt heritage corridor planning commission and  
providing for its

powers and duties

**The People of the State of New York, represented in Senate  
and Assem-**

**bly, do enact as follows:**

1 Section 1. Subdivision 1 of section 35.03 of the parks,  
recreation and

2 historic preservation law is amended by adding a new paragraph (s) to

3 read as follows:

4 (s) The cohesive geographical area including all or parts of the coun-  
5 ty of Chautauqua associated with and revealing grape growing, processing  
6 and the unique local grape culture, including stewardship and develop-  
7 ment of the wine and juice industries, of the region commonly known as  
8 the Lake Erie concord grape belt region.

9 § 2. Subdivision 3 of section 35.05 of the parks, recreation and

10 historic preservation law, as amended by chapter 352 of the laws of

11 1999, is amended to read as follows:

12 3. The local legislative body of each city, town or village within a

13 designated area except that for the area designated pursuant to para-

14 graphs (o) [~~and~~], (q) and (s) of subdivision one of section 35.03 of

15 this article the legislative body of each county included in whole or in

16 part within the area must approve the management plan before it is

17 submitted to the commissioner for its approval. Each such plan shall be

18 completed and submitted to the required local legislative bodies for

19 approval and to the commissioner within forty-five days of the local

20 approval.

21 § 3. Section 35.05 of the parks, recreation and historic preservation

22 law is amended by adding a new subdivision 5-a to read as follows:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets

[~~-~~] is old law to be omitted.

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1 5-a. The management plan for the heritage area established by para-

2 graph (s) of subdivision one of section 35.03 of this article shall

3 authorize state agencies and the county of Chautauqua to collaborate and

4 cooperate with governmental entities in the state of Pennsylvania with

5 regard to the stewardship and development of the grape wine and juice

6 industries within such state and the heritage area established  
by such  
7 paragraph. The collaboration and cooperation authorized  
by this  
8 submission shall include, but not be limited to, joint project  
planning  
9 and grant funding.

10 § 4. A Lake Erie grape belt heritage corridor planning  
commission is  
11 hereby created to prepare or cause to be prepared a  
management plan  
12 pursuant to section 35.05 of the parks, recreation and  
historic preser-  
13 vation law for the Lake Erie concord grape belt region  
designated pursu-  
14 ant to paragraph (s) of subdivision 1 of section 35.03 of such  
law. Such  
15 commission shall incorporate into the management plan, to the  
maximum  
16 extent possible, the findings, recommendations and activities  
connected  
17 to existing planning efforts. The commission shall definitively  
specify  
18 and map out the physical boundaries of the heritage corridor  
within the  
19 geographical borders described in paragraph (s) of  
subdivision 1 of  
20 section 35.03 of the parks, recreation and historic  
preservation law.  
21 The commission shall have eleven members who shall reside or  
have a  
22 business interest within the Lake Erie grape belt heritage  
corridor. The  
23 legislative body of each town, city or village within the  
Lake Erie  
24 grape belt heritage corridor may forward the names of  
recommended  
25 commission appointees to the chief executive officer of the  
county of  
26 Chautauqua. The chief executive officer of the county of  
Chautauqua  
27 shall appoint three voting members who shall be chosen from  
among the  
28 names forwarded to him or her by the respective legislative  
bodies. The  
29 remaining eight members of the commission shall be appointed as  
follows:  
30 two members shall be appointed by the temporary president of  
the senate;  
31 two members shall be appointed by the speaker of the  
assembly; one  
32 member shall be appointed by the minority leader of the  
senate; one  
33 member shall be appointed by the minority leader of the  
assembly; and  
34 two members shall be appointed by the governor, at least one  
of whom

35 shall be the mayor, supervisor or other chief executive  
officer of any  
36 city, town or village within the Lake Erie grape belt heritage  
corridor.  
37 All persons responsible for appointing members of the  
commission shall  
38 be mindful of the importance of assuring adequate  
representation of  
39 conservationists, business owners and operators, tourism  
promotion agen-  
40 cies, persons engaged in agricultural pursuits, minorities,  
educators  
41 and persons having an interest and experience in at least  
one of the  
42 four heritage area goals of preservation, recreation,  
education and  
43 economic development. The commissioner of parks, recreation and  
historic  
44 preservation, the commissioner of economic development, the  
commissioner  
45 of agriculture and markets, the chair of the New York  
state thruway  
46 authority and other members of the New York state heritage  
areas advi-  
47 sory council, or their representatives, and the mayors,  
supervisors or  
48 other chief elected officer of any city, town or village  
located in  
49 whole or in part in the Lake Erie grape belt heritage  
corridor, or his  
50 or her representative, may participate in commission meetings  
as non-  
51 voting members and shall receive notice of all commission  
meetings.  
52 Appointments to the planning commission shall be filed with the  
commis-  
53 sioner of parks, recreation and historic preservation, who  
shall convene  
54 the first meeting of the commission following the filing of a  
majority  
55 of the appointments. At the initial meeting, the members of the  
planning  
56 commission shall elect officers. The commission may also adopt  
by-laws.

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1 The members of the planning commission shall serve without  
compensation.  
2 Vacancies shall be filled in the same manner as original  
appointments.  
3 For the purposes of meeting the provisions of an advisory  
committee  
4 pursuant to subdivision 2 of section 35.05 of the parks,  
recreation and  
5 historic preservation law, the legislative body of the county  
of Chau-

6 tauqua may appoint a grape belt heritage corridor  
committee for the

7 purpose of, including but not limited to, advising the  
commissioner of

8 parks, recreation and historic preservation and local  
governments during

9 the preparation of the management plan. The planning  
commission shall

10 remain in existence until the management plan is approved or  
for a peri-

11 od of four years from the effective date of this act,  
whichever shall

12 occur first.

13 § 5. This act shall take effect immediately.