

# OPINIONS OF THE ATTORNEY GENERAL

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The full text of an informal or formal opinion of the Attorney General may be obtained by writing to the Office of Legal Records, Department of Law, State Capitol, Albany, NY 12224. Please include the identification number, the date, the section(s) of law considered and the subject of the opinion.

Questions relating to circumstances under which logging on municipal parkland constitutes a non-park purpose. *July 13, 2012.*

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## INFORMAL OPINIONS

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### No. 2012-4

**Municipal Home Rule Law §§ 10, 11(1)(c), 36, 36(5)(a); Session Laws 1908, ch. 454 § 244, 1908, ch. 454 § 247, 1908, ch. 454 § 249; Education Law §§ 2(8), 214, 216, 216(1), 259(1), 260(1); General Construction Law §§ 65(c)(2), 66(6)**

City charter cannot be amended locally to change the budget process as it relates to monies used by the library. Such amendments would encroach on the State's authority over education and would violate the prohibition of Municipal Home Rule Law § 11. *July 13, 2012.*

### No. 2012-5

**General Municipal Law §§ 551, 553(2), 553(3), 584, Article 15-A; Session Laws 1968 ch. 719, 1981 ch. 421**

Under state law that provides for appointment from both the majority and the minority of city council if the city council has no members who belong to the minority party, then no additional members from the majority party are to be selected to the CDA board. *July 13, 2012.*

### No. 2012-6

**Arts And Cultural Affairs Law §§ 57.07(1), 57.09; Session Laws 1919, ch. 181; Session Laws 1933, ch. 107**

The position of town historian is compatible with member of the County Legislature. *August 8, 2012.*

### No. 2012-7

**Criminal Procedure Law §§ 1.20(34)r, 2.10(9), 2.20; 15 N.Y.C.R.R. §§ 91.2, 19.3; Session Laws 1991 ch. 542, 1980 ch. 843; Environmental Conservation Law § 9-1501; Municipal Home Rule Law § 10(4)(a); Vehicle And Traffic Law § 511-b**

The Village's park rangers may issue uniform traffic tickets for violations of the Vehicle and Traffic Law within village parks. They may not issue tickets for violations they observe on public streets while travelling between parks. *August 8, 2012.*

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## FORMAL OPINIONS

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### No. 2012-F1

**Parks, Recreation And Historic Preservation Law §§ 15.03(2), 15.09, 15.11, Article 15**

