

10149

I N A S S E M B L Y

March 8, 2010

Introduced by M. of A. FIELDS -- read once and referred to the Committee on Banks

AN ACT to amend the executive law, the environmental conservation law and the parks, recreation and historic preservation law, in relation to the renaming of certain park properties and buildings; and to amend the state finance law, in relation to establishing the New York state parks revolving fund

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 803-a of the executive law is amended by adding a  
2 new subdivision 8 to read as follows:

3 8. IN ADDITION TO ANY OTHER FUNCTIONS OR DUTIES SPECIFICALLY REQUIRED  
4 OR AUTHORIZED IN THIS ARTICLE, THE REVIEW BOARD SHALL ASSESS THE APPRO-  
5 PRIATENESS OF CONTRACTS RENAMING CERTAIN PARK PROPERTIES AND BUILDINGS  
6 PURSUANT TO SECTION EIGHT HUNDRED FOUR OF THIS ARTICLE AND ISSUE AN  
7 APPROVAL OR DENIAL OF SUCH CONTRACT.

8 S 2. Subdivisions 9 and 10 of section 804 of the executive law, as  
9 amended by chapter 348 of the laws of 1973, are amended and a new subdivi-  
10 sion 11 is added to read as follows:

11 9. To adopt, amend and repeal, after public hearing (except in the  
12 case of rules and regulations that relate to the organization or inter-  
13 nal management of the agency), such rules and regulations, consistent  
14 with this article, as it deems necessary to administer this article, and  
15 to do any and all things necessary or convenient to carry out the  
16 purposes and policies of this article and exercise powers granted by  
17 law; [and]

18 10. To report periodically to the governor and the legislature on the  
19 conduct of its activities but not less than once a year, furnishing a  
20 copy of each such report to the clerk of the county legislative body of  
21 each county wholly or partly within the park and to the review board[.];  
22 AND

23 11. TO CONTRACT, SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT  
24 REVIEW BOARD, FOR THE RENAMING OF CERTAIN PARK PROPERTIES AND BUILDINGS.  
25 SUCH CONTRACTS SHALL BE FOR A TERM OF NO MORE THAN TWO YEARS, AND UPON

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

LBD16151-02-0

1 THE EXPIRATION THEREOF APPROVAL FROM THE REVIEW BOARD SHALL BE REQUIRED  
2 FOR ANY NEW RENAMING CONTRACT.

3 S 3. Paragraph d of subdivision 1 and paragraph b of subdivision 2 of  
4 section 3-0301 of the environmental conservation law are amended to read  
5 as follows:

6 d. Provide for the care, custody, and control of the forest preserve,  
7 INCLUDING CONTRACTING, SUBJECT TO THE APPROVAL OF THE BOARD, FOR THE  
8 RENAMING OF CERTAIN PROPERTIES AND BUILDINGS WITHIN THE FOREST PRESERVE.  
9 SUCH CONTRACTS SHALL BE FOR A TERM OF NO MORE THAN TWO YEARS, AND UPON  
10 THE EXPIRATION THEREOF APPROVAL FROM THE BOARD SHALL BE REQUIRED FOR ANY  
11 NEW RENAMING CONTRACT;

12 b. Enter into contracts with any person to do all things necessary or  
13 convenient to carry out the functions, powers and duties of the depart-  
14 ment, INCLUDING CONTRACTING, SUBJECT TO THE APPROVAL OF THE BOARD, FOR  
15 THE RENAMING OF CERTAIN PROPERTIES AND BUILDINGS WITHIN THE FOREST  
16 PRESERVE. SUCH CONTRACTS SHALL BE FOR A TERM OF NO MORE THAN TWO YEARS,  
17 AND UPON THE EXPIRATION THEREOF APPROVAL FROM THE BOARD SHALL BE  
18 REQUIRED FOR ANY NEW RENAMING CONTRACT.

19 S 4. Subdivision 1 of section 5-0107 of the environmental conservation  
20 law is amended by adding a new paragraph f to read as follows:

21 F. ASSESS THE APPROPRIATENESS OF CONTRACTS RENAMING CERTAIN FOREST  
22 PRESERVE PROPERTIES AND BUILDINGS PURSUANT TO SECTION 3-0301 OF THIS  
23 CHAPTER AND ISSUE AN APPROVAL OR DENIAL OF SUCH CONTRACT.

24 S 5. Subdivision 1 of section 9-0305 of the environmental conservation  
25 law, as amended by chapter 388 of the laws of 1974, is amended to read  
26 as follows:

27 1. In order to conserve the natural beauty of the Adirondack and Cats-  
28 kill parks, to preserve and regulate the said parks for public uses for  
29 the resort of the public for recreation, pleasure, air, light and enjoy-  
30 ment, to keep them open, safe, clean, and in good order for the welfare  
31 of society, and to protect and conserve the investment of the state in  
32 forest lands, campsites and other interests in real property in said  
33 parks, no person shall erect or maintain within the boundaries thereof  
34 any advertising sign, advertising structure or device of any kind,  
35 except under written permit from the department. The provisions of this  
36 section shall not apply to signs erected or maintained upon a parcel of  
37 real property in connection with the principal business or principal  
38 businesses conducted thereon and which advertise such business or busi-  
39 nesses only, [or] to signs within the limits of an incorporated village,  
40 OR TO SIGNS ERECTED AS A RESULT OF THE RENAMING OF CERTAIN PARK PROPER-  
41 TIES OR BUILDINGS PURSUANT TO SUBDIVISION ELEVEN OF SECTION EIGHT  
42 HUNDRED FOUR OF THE EXECUTIVE LAW AND SECTION 3-0301 OF THIS CHAPTER.

43 As to signs, structures or devices existing within the Catskill park  
44 on May 26, 1969, and which require a permit pursuant to this section,  
45 the same may continue to be maintained without permit until January 1,  
46 1976 provided that the property owner or owner of such sign, structure  
47 or device registers the same with the department on or before January 1,  
48 1972.

49 As to signs, structures or devices existing on May 31, 1972 in those  
50 portions of the Adirondack park added thereto by chapter six hundred  
51 sixty-six of the laws of nineteen hundred seventy-two, and which require  
52 a permit pursuant to this section, the same may continue to be main-  
53 tained without permit until January 1, 1978, provided that the property  
54 owner or owner of such sign, structure or device registers the same with  
55 the department on or before January 1, 1975.

1 S 6. Subdivision 9 of section 3.09 of the parks, recreation and  
2 historic preservation law is amended to read as follows:

3 9. Enter into contracts with any person and do all things necessary or  
4 convenient to carry out the functions, powers and duties of the office,  
5 INCLUDING, CONTRACTING, SUBJECT TO THE APPROVAL OF THE APPROPRIATE  
6 REGIONAL PARK COMMISSION, FOR THE RENAMING OF CERTAIN PARK PROPERTIES  
7 AND BUILDINGS. SUCH CONTRACTS SHALL BE FOR A TERM OF NO MORE THAN TWO  
8 YEARS, AND UPON THE EXPIRATION THEREOF APPROVAL FROM THE APPROPRIATE  
9 REGIONAL PARK COMMISSION SHALL BE REQUIRED FOR ANY NEW RENAMING  
10 CONTRACT.

11 S 7. Section 7.11 of the parks, recreation and historic preservation  
12 law is amended by adding a new subdivision 6 to read as follows:

13 6. ASSESS THE APPROPRIATENESS OF CONTRACTS RENAMING CERTAIN PARK PROP-  
14 erties and buildings in the park region served by the commission pursu-  
15 ant to subdivision nine of section 3.09 of this title and issue an  
16 approval or denial of such contract.

17 S 8. The state finance law is amended by adding a new section 99-t to  
18 read as follows:

19 S 99-T. NEW YORK STATE PARKS REVOLVING FUND. 1. THERE IS HEREBY ESTAB-  
20 LISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND FINANCE  
21 AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "NEW YORK STATE  
22 PARKS REVOLVING FUND."

23 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED PURSUANT TO THE  
24 PROVISIONS OF SUBDIVISION EIGHT OF SECTION EIGHT HUNDRED THREE-A AND  
25 SUBDIVISION ELEVEN OF SECTION EIGHT HUNDRED FOUR OF THE EXECUTIVE LAW,  
26 PARAGRAPH D OF SUBDIVISION ONE AND PARAGRAPH B OF SUBDIVISION TWO OF  
27 SECTION 3-0301 OF THE ENVIRONMENTAL CONSERVATION LAW AND SUBDIVISION  
28 NINE OF SECTION 3.09 OF THE PARKS, RECREATION AND HISTORIC PRESERVATION  
29 LAW AND ALL OTHER MONEYS APPROPRIATED, CREDITED, OR TRANSFERRED THERETO  
30 FROM ANY OTHER FUND OR SOURCE PURSUANT TO LAW. NOTHING CONTAINED IN THIS  
31 SECTION SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS  
32 FOR THE PURPOSES OF THE FUND AS DEFINED IN THIS SECTION AND DEPOSITING  
33 THEM INTO THE FUND ACCORDING TO LAW.

34 3. MONIES OF THE FUND SHALL BE EXPENDED ONLY FOR NEW YORK STATE PARKS.

35 S 9. This act shall take effect immediately.