S T A T E O F N E W Y O R K

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2009-2010 Regular Sessions

I N A S S E M B L Y

February 6, 2009

Introduced by M. of A. ENGLEBRIGHT -- Multi-Sponsored by -- M. of A. McENENY -- read once and referred to the Committee on Tourism, Arts and Sports Development

AN ACT to provide for the creation of regional conservation partnership trusts

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

Section 1. Legislative findings and purpose. The legislature finds that the state's heritage areas, greenways, preserves, partnerships and other specially designated areas are unique and special areas serving public interests in conservation, education, recreation and sustainable development. Often these areas include all or portions of many cities, towns and villages, and their management depends on interrelationships between state and municipal entities and private entities. They have appropriately been called "partnership parks". While state funding has often been available for the acquisition of open space and recreational and historic preservation projects, support for management and stewardship of partnership parks has been insufficient and threatens the resources for which these areas have been designated.

The legislature further finds that community philanthropic organizations and nonprofit conservation organizations have provided some support for partnership parks and if assisted by the state may be able to maximize public and private funding for management and stewardship.

Therefore, the legislature hereby establishes a framework for areas of the state to create regional partnership trusts to raise and distribute funds for nonprofit conservation organizations providing management and stewardship services for partnership parks and other state and local conservation activity.

S 2. Short title. This act shall be known and may be cited as the "New York state regional conservation partnership trust act".

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

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S 3. Regional conservation partnership trusts. (a) Community foundations may apply to the commissioners of environmental conservation and parks, recreation and historic preservation to be certified as regional conservation partnership trust boards. Each such partnership trust board shall be a charitable subsidiary of a community foundation organized to support management and stewardship activities of a not-for-profit conservation organization within its region. Such activities shall be provided to partnership parks with the trust board's region.

(b) The commissioners of environmental conservation and parks, recreation and historic preservation shall approve and certify as regional conservation partnership trusts those not-for-profit corporations that are dedicated to raise funds from private donors for the purposes of grants to non-profit organizations consistent with the purposes of this act. The members of a board of a partnership trust shall serve without compensation for their work. Each partnership trust shall establish a fund to consist of donations and funds made available therefor from the state.

S 4. The state is hereby authorized, during any state fiscal year, to disburse not more than one million dollars to regional conservation partnership trusts to match donations to such trust during the state fiscal year, and made available for grants to not-for-profit corporations for the purpose of this act.

S 5. This act shall take effect immediately.