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

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:

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

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

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

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

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

11. TO CONTRACT, SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT REVIEW BOARD, FOR THE RENAMING OF CERTAIN PARK PROPERTIES AND BUILDINGS. 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.

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

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

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

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

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

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

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

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

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

As to signs, structures or devices existing on May 31, l972 in those portions of the Adirondack park added thereto by chapter six hundred sixty-six of the laws of nineteen hundred seventy-two, and which require a permit pursuant to this section, the same may continue to be maintained without permit until January 1, 1978, provided that the property owner or owner of such sign, structure or device registers the same with the department on or before January 1, 1975.

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

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

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

6. ASSESS THE APPROPRIATENESS OF CONTRACTS RENAMING CERTAIN PARK PROPERTIES AND BUILDINGS IN THE PARK REGION SERVED BY THE COMMISSION PURSUANT TO SUBDIVISION NINE OF SECTION 3.09 OF THIS TITLE AND ISSUE AN APPROVAL OR DENIAL OF SUCH CONTRACT.

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

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

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

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

S 9. This act shall take effect immediately.