

3409--B

2011-2012 Regular Sessions

I N A S S E M B L Y

January 25, 2011

Introduced by M. of A. SCHIMMINGER, CANESTRARI, ENGLEBRIGHT, GUNTHER --  
Multi-Sponsored by -- M. of A. CAHILL, CLARK, GALEF, MAGEE, McENENY,  
MILLMAN, MURRAY, RABBITT, P. RIVERA -- read once and referred to the  
Committee on Transportation -- reference changed to the Committee on  
Tourism, Parks, Arts and Sports Development -- reported and referred  
to the Committee on Codes -- committee discharged, bill amended,  
ordered reprinted as amended and recommitted to said committee --  
reported and referred to the Committee on Codes -- committee  
discharged, bill amended, ordered reprinted as amended and recommitted  
to said committee

AN ACT to amend the parks, recreation and historic preservation law and  
the general municipal law, in relation to authorizing an adopt-a-park  
program

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

1 Section 1. Subdivision 4 of section 3.09 of the parks, recreation and  
2 historic preservation law is amended to read as follows:  
3 4. Cooperate in the planning, organization, development and operation  
4 of municipal and private park, recreational and historic preservation  
5 projects and programs. THE COMMISSIONER MAY PROVIDE TECHNICAL ASSIST-  
6 ANCE TO MUNICIPALITIES FOR THE PLANNING, ORGANIZATION, DEVELOPMENT AND  
7 OPERATION OF ADOPT-A-PARK PROGRAMS UNDERTAKEN PURSUANT TO SECTION TWO  
8 HUNDRED SEVENTY-SEVEN OF THE GENERAL MUNICIPAL LAW INCLUDING, BUT NOT  
9 LIMITED TO, THE DEVELOPMENT AND DISTRIBUTION OF AN INFORMATIONAL GUIDE  
10 FOR PARTICIPANTS IN SUCH PROGRAMS.  
11 S 2. Section 277 of the general municipal law, as added by chapter 626  
12 of the laws of 1991, is amended to read as follows:  
13 S 277. Adopt-a-municipal park, shoreline or roadway programs. 1. The  
14 governing body of any county, city, town or village is hereby authorized  
15 and empowered to authorize and direct such of its officers or agencies  
16 as it shall designate to enter into adopt-a-park, shoreline or roadway

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

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1 program agreements with volunteers or groups in an effort to reduce and  
2 remove litter from parks, shorelines, roadways and other public lands.  
3 Such agreements shall include but not be limited to:

4 a. providing and coordinating services by volunteers or groups to  
5 reduce the amount of litter including providing trash bags and trash bag  
6 pick up and in designated areas where volunteers may be in close proxim-  
7 ity to moving vehicles providing safety briefings and reflective safety  
8 gear; and

9 b. providing and installing signs identifying those volunteers or  
10 groups adopting particular parks, shorelines, roadways or other sections  
11 of public land.

12 2. WITH RESPECT TO ADOPT-A-PARK PROGRAMS, A PROGRAM AGREEMENT MAY ALSO  
13 BE ENTERED INTO FOR THE PROVISION OF SERVICES BY VOLUNTEERS OR GROUPS TO  
14 PRESERVE, MAINTAIN AND ENHANCE MUNICIPALLY-OWNED PARKS. SUCH PROGRAMS  
15 MAY INCLUDE, BUT ARE NOT LIMITED TO, REMEDIATING VANDALISM, PRESERVING  
16 WETLANDS, CLEANING AND MAINTAINING PARK PROPERTY, ESTABLISHING AND MAIN-  
17 TAINING ACCESS TO NATURE TRAILS, ESTABLISHING AND MAINTAINING DOG RUNS,  
18 PLANTING AND MAINTAINING FLOWER BEDS OR OTHER VEGETATION, OR OTHERWISE  
19 IMPROVING AND MAINTAINING THE NATURAL BEAUTY OF SUCH PARKS.

20 3. Notwithstanding any inconsistent provision of law, the county,  
21 city, town or village and its employees shall not be liable for damages  
22 suffered by any persons resulting from the REASONABLE AND GOOD FAITH  
23 actions AND/or activities of such volunteers or groups.

24 4. NO ADOPT-A-PARK PROGRAM SHALL RESULT IN THE DISPLACEMENT OF ANY  
25 CURRENTLY EMPLOYED WORKER OR THE LOSS OF POSITION, INCLUDING THE PARTIAL  
26 DISPLACEMENT SUCH AS REDUCTION IN THE HOURS OF NON-OVERTIME, WAGES, OR  
27 EMPLOYMENT BENEFITS, OR RESULT IN THE IMPAIRMENT OF EXISTING COLLECTIVE  
28 BARGAINING AGREEMENTS.

29 S 3. This act shall take effect on the one hundred eightieth day after  
30 it shall have become a law.