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

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2403

2011-2012 Regular Sessions

I N   A S S E M B L Y

January 18, 2011
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Introduced by M. of A. CUSICK, PHEFFER, LAVINE, COLTON, LUPARDO, WEISEN-
  BERG, TITONE, SCHROEDER, GUNTHER, JAFFEE, COOK, LATIMER, MILLMAN,
  MAGNARELLI, ORTIZ, ROBINSON, CASTRO -- Multi-Sponsored by -- M. of A.
  ABBATE, CASTELLI, GABRYSZAK, GALEF, MAGEE, McDONOUGH, McENENY, REILLY,
  SWEENEY -- read once and referred to the Committee on Veterans'
  Affairs

AN ACT establishing the veterans' memorials preservation act

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

 1   Section 1. Short title. This act shall be known and may be cited as
 2 the "veterans' memorials preservation act".
 3   S 2. Definitions. For the purposes of this act:
 4   (a) a "memorial" is any park, monument, field, open land, grove of
 5 trees, building, structure, artwork, tablet, plaque, wall, or any other
 6 structure that has been donated to, or constructed by, a public entity
 7 as a memorial to veterans of any war, conflict, or police action engaged
 8 in by the armed forces of the United States, or any one of the United
 9 States, or the New York national guard.
10   (b) a "public entity" is any governmental body of any kind, including,
11 but not limited to, the state, a city, town, village, borough, school
12 district, or public authority.
13   S 3. Memorials shall be preserved and be open to the public. (a) Any
14 public entity that has created or received a gift of a memorial shall
15 not alter, destroy, reconfigure, adjust, change, modify, or move such
16 memorial, or cause or permit any person to commit such acts; provided,
17 however, that such acts are permitted when reasonably necessary.
18   (b) Any public entity that has created a memorial or accepted a gift
19 of a memorial shall maintain the memorial in a reasonable manner.
20   (c) A public entity shall not restrict access to a memorial except as
21 reasonably necessary.
22   S 4. This act shall take effect immediately.

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