

6623

2015-2016 Regular Sessions

I N A S S E M B L Y

March 27, 2015

Introduced by M. of A. MARKEY -- (at request of the Office of Parks, Recreation and Historic Preservation) -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the parks, recreation and historic preservation law, in relation to the resident curator program

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

1 Section 1. Subdivision 2-h of section 3.09 of the parks, recreation
2 and historic preservation law as added by chapter 295 of the laws of
3 2014 is amended to read as follows:
4 2-h. Be empowered, in addition to any other provision of law authoriz-
5 ing the leasing of certain property under its jurisdiction, to establish
6 a resident curator program to encourage investment, restoration and
7 occupancy of buildings which serve no park-related purpose and which, if
8 remain unoccupied, are at risk of progressive deterioration, by author-
9 izing the leasing of such at-risk buildings on a competitive basis
10 pursuant to the issuance of a request for proposal announced publicly
11 including on the office website, for residential use only, as a single
12 family dwelling, to individuals to be known as "resident curators" for
13 terms of up to forty years in exchange for the resident curator assuming
14 liability and financial obligation associated with the rehabilitation,
15 maintenance and use of such buildings and any other property, real or
16 personal, included in the lease. The length of the term of such leases
17 shall relate to the financial investment to be made by the resident
18 curator which will be required to rehabilitate and maintain the building
19 for residential occupancy. The amount of rent to be charged, which may
20 be nominal, shall be based on an assessment of fair market value taking
21 into account the projected cost of rehabilitating the building invested
22 by the resident curator. Any lease executed pursuant to this section
23 shall: require the resident curator to comply with all laws, rules and
24 regulations and maintain appropriate insurance coverage associated with

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

LBD09614-02-5

1 the rehabilitation, maintenance and use of the leased premises; prohibit
2 the resident curator from using the leased premises except in accordance
3 with criteria to be determined by the commissioner; prohibit the resi-
4 dent curator from using the leased premises as security for any debt, or
5 from assigning or subletting the premises except as authorized by the
6 commissioner; and require the commissioner to determine in his or her
7 sole discretion when the restoration is complete. Upon termination of
8 any lease executed pursuant to this section, full use and enjoyment of
9 the property reverts automatically to the state. No lease entered into
10 in the resident curator program shall result in the displacement of any
11 currently employed worker or loss of position, including the partial
12 displacement such as reduction in the hours of non-overtime labor, wages
13 or employee benefits, the diminishment of benefits, or seniority rights
14 provided to such employee in the civil service law, or result in the
15 impairment of existing collective bargaining agreements. The commission-
16 er is authorized to lease for the purpose of residential occupancy IN
17 THE SEVENTH PARK REGION THE HAYES HOUSE AT MILLS-NORRIE STATE PARK; in
18 the ninth park region, the building identified as LI 73 Lab residence at
19 Cold Spring Harbor state park, the Hollins House at Heckscher State
20 Park, THE BUILDING IDENTIFIED AS LI 72 POLICE BOARDING HOUSE AT CALEB
21 SMITH STATE PARK PRESERVE, and the building identified as LI 40 house at
22 Hither Hills State Park; AND IN THE TWELFTH PARK REGION THE GERICKE FARM
23 HOUSE AT CLAY PIT PONDS STATE PARK PRESERVE. The Commissioner shall
24 adopt rules and regulations for the resident curator program, which
25 shall include, but not be limited to, criteria for selecting responsible
26 resident curators, criteria for establishing length of terms for leases,
27 criteria for determining the amount of rent to be charged to resident
28 curators which may be nominal factoring in the capital investment
29 required to rehabilitate and maintain the leased premises and determin-
30 ing appropriate uses and restrictions on use of leased premises in the
31 resident curator program, including whether and under what circumstances
32 public access is appropriate to property in the resident curator
33 program.

34 S 2. This act shall take effect immediately.