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I N A S S E M B L Y

April 8, 2016

Introduced by M. of A. WOERNER -- 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
25 the rehabilitation, maintenance and use of the leased premises; prohibit
26 the resident curator from using the leased premises except in accordance
27 with criteria to be determined by the commissioner; prohibit the resi-
28 dent curator from using the leased premises as security for any debt, or

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

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1 from assigning or subletting the premises except as authorized by the
2 commissioner; and require the commissioner to determine in his or her
3 sole discretion when the restoration is complete. Upon termination of
4 any lease executed pursuant to this section, full use and enjoyment of
5 the property reverts automatically to the state. No lease entered into
6 in the resident curator program shall result in the displacement of any
7 currently employed worker or loss of position, including the partial
8 displacement such as reduction in the hours of non-overtime labor, wages
9 or employee benefits, the diminishment of benefits, or seniority rights
10 provided to such employee in the civil service law, or result in the
11 impairment of existing collective bargaining agreements. The commission-
12 er is authorized to lease for the purpose of residential occupancy in
13 the ninth park region, the building identified as LI 73 Lab residence at
14 Cold Spring Harbor state park, the Hollins House at Heckscher State
15 Park, [and] the building identified as LI 40 house at Hither Hills State
16 Park; AND IN THE ELEVENTH PARK REGION, THE SUSAN B. ANTHONY HOUSE. The
17 Commissioner shall adopt rules and regulations for the resident curator
18 program, which shall include, but not be limited to, criteria for
19 selecting responsible resident curators, criteria for establishing
20 length of terms for leases, criteria for determining the amount of rent
21 to be charged to resident curators which may be nominal factoring in the
22 capital investment required to rehabilitate and maintain the leased
23 premises and determining appropriate uses and restrictions on use of
24 leased premises in the resident curator program, including whether and
25 under what circumstances public access is appropriate to property in the
26 resident curator program.

27 S 2. This act shall take effect immediately.