

3739--A

Cal. No. 489

2015-2016 Regular Sessions

I N S E N A T E

February 17, 2015

Introduced by Sens. MARCHIONE, AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

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

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

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

6 b. providing and installing signs identifying those volunteers or
7 groups adopting particular parks, shorelines, roadways or other sections
8 of public land.

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

17 3. Notwithstanding any inconsistent provision of law, the county,
18 city, town or village and its employees shall not be liable for damages
19 suffered by any persons resulting from the actions or activities of such
20 volunteers or groups.

21 4. NOTWITHSTANDING ANY PROVISION OF LAW, RULE OR REGULATION TO THE
22 CONTRARY, NO ADOPT-A-PARK PROGRAM SHALL RESULT IN THE DISPLACEMENT OF
23 ANY CURRENTLY EMPLOYED WORKER OR THE LOSS OF POSITION, INCLUDING THE
24 PARTIAL DISPLACEMENT SUCH AS REDUCTION IN THE HOURS OF NON-OVERTIME,
25 WAGES, OR EMPLOYMENT BENEFITS, OR RESULT IN THE IMPAIRMENT OF EXISTING
26 COLLECTIVE BARGAINING AGREEMENTS.

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