

4868

2015-2016 Regular Sessions

I N S E N A T E

April 22, 2015

Introduced by Sen. LITTLE -- (at request of the Office of Parks, Recreation and Historic Preservation) -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

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

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

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

35 S 2. This act shall take effect immediately.