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

10077

I N A S S E M B L Y

May 10, 2016

Introduced by M. of A. MAGEE, CROUCH, FINCH -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to providing for the lease of the Rogers environmental education center in the town of Sherburne, county of Chenango, to the Friends of Rogers Environmental Education Center, Inc., and providing for certain terms of such lease

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

Section 1. Section 3-0301 of the environmental conservation law is amended by adding a new subdivision 6 to read as follows:

6. THE DEPARTMENT, BY AND THROUGH THE COMMISSIONER, SHALL, IN ADDITION TO ANY OTHER PROVISION OF LAW AUTHORIZING THE LEASING OF PROPERTY UNDER ITS JURISDICTION, LEASE THE LAND, AND THE BUILDINGS, STRUCTURES AND IMPROVEMENTS THEREON, CONSTITUTING THE ROGERS ENVIRONMENTAL EDUCATION CENTER IN THE TOWN OF SHERBURNE, COUNTY OF CHENANGO, TO THE FRIENDS OF ROGERS ENVIRONMENTAL EDUCATION CENTER, INC., A NOT-FOR-PROFIT CORPORATION, FOR A TERM OF NOT LESS THAN FORTY YEARS FOR THE PURPOSE OF THE OPERATION OF SUCH CENTER TO PROMOTE THE UNDERSTANDING OF ENVIRONMENTAL CONSERVATION. SUCH EXTENDED LEASE TERM SHALL BE FOR ASSURING THE LESSEE OF ADEQUATE PROTECTION AGAINST LOSS OF INVESTMENTS IN RENOVATIONS AND IMPROVEMENTS TO, AND THE OPERATION AND MAINTENANCE OF THE ROGERS ENVIRONMENTAL EDUCATION CENTER DURING THE TERM OF THE LEASE. SUCH LEASE SHALL REQUIRE THE LESSEE TO OPERATE SUCH CENTER IN A MANNER THAT WILL ENCOURAGE INVESTMENT BY THE PRIVATE SECTOR IN MAINTAINING AND OPERATING THE ROGERS ENVIRONMENTAL EDUCATION CENTER FOR PUBLIC USE AND ENJOYMENT, IN FURTHERANCE OF ENVIRONMENTAL EDUCATION AND PRESERVATION OF THE NATURAL RESOURCES OF SUCH CENTER. THE LESSEE SHALL HAVE SOLE DISCRETION IN DETERMINING WHICH INVESTMENTS BY THE PRIVATE SECTOR, AND THE PARTIES MAKING SUCH INVESTMENTS SHALL BE ACCEPTED OR REJECTED. THE LEASE REQUIRED BY THIS SUBDIVISION SHALL AUTHORIZE THE LESSEE TO IMPOSE AND COLLECT REASONABLE USE FEES FOR EVENTS, PROGRAMS AND ACTIVITIES CONDUCTED BY IT UPON THE GROUNDS OF THE ROGERS ENVIRONMENTAL EDUCATION CENTER INCLUDING, BUT NOT LIMITED TO, SUCH EDUCATIONAL PROGRAMS, RECRE-

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

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ATIONAL ACTIVITIES, USES OF SUCH CENTER AND FUNDRAISING EVENTS AS SHALL BE DETERMINED BY THE LESSEE IN ITS DISCRETION; PROVIDED, HOWEVER, THAT ALL FEES AND REVENUE COLLECTED BY THE LESSEE SHALL BE USED EXCLUSIVELY FOR THE OPERATION AND MAINTENANCE OF THE CENTER. SUCH LEASE SHALL CONTAIN SUCH TERMS AND CONDITIONS AS THE COMMISSIONER SHALL DEEM NECESSARY TO PROTECT THE PUBLIC INTEREST, INSURE PUBLIC ACCESS AND PROTECT THE NATURAL RESOURCES OF THE CENTER, WHILE NOT RESTRICTING THE LESSEE'S USE AND OPERATION THEREOF FOR THE BENEFIT AND ENJOYMENT OF THE PUBLIC.

S 2. This act shall take effect immediately.