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I N   S E N A T E

May 5, 2016

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Introduced by Sens. SEWARD, VALESKY -- read twice and ordered printed,  
and when printed to be committed 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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 3-0301 of the environmental conservation law is  
2     amended by adding a new subdivision 6 to read as follows:  
3     6. THE DEPARTMENT, BY AND THROUGH THE COMMISSIONER, SHALL, IN ADDITION  
4     TO ANY OTHER PROVISION OF LAW AUTHORIZING THE LEASING OF PROPERTY UNDER  
5     ITS JURISDICTION, LEASE THE LAND, AND THE BUILDINGS, STRUCTURES AND  
6     IMPROVEMENTS THEREON, CONSTITUTING THE ROGERS ENVIRONMENTAL EDUCATION  
7     CENTER IN THE TOWN OF SHERBURNE, COUNTY OF CHENANGO, TO THE FRIENDS OF  
8     ROGERS ENVIRONMENTAL EDUCATION CENTER, INC., A NOT-FOR-PROFIT CORPO-  
9     RATION, FOR A TERM OF NOT LESS THAN FORTY YEARS FOR THE PURPOSE OF THE  
10    OPERATION OF SUCH CENTER TO PROMOTE THE UNDERSTANDING OF ENVIRONMENTAL  
11    CONSERVATION. SUCH EXTENDED LEASE TERM SHALL BE FOR ASSURING THE LESSEE  
12    OF ADEQUATE PROTECTION AGAINST LOSS OF INVESTMENTS IN RENOVATIONS AND  
13    IMPROVEMENTS TO, AND THE OPERATION AND MAINTENANCE OF THE ROGERS ENVI-  
14    RONMENTAL EDUCATION CENTER DURING THE TERM OF THE LEASE. SUCH LEASE  
15    SHALL REQUIRE THE LESSEE TO OPERATE SUCH CENTER IN A MANNER THAT WILL  
16    ENCOURAGE INVESTMENT BY THE PRIVATE SECTOR IN MAINTAINING AND OPERATING  
17    THE ROGERS ENVIRONMENTAL EDUCATION CENTER FOR PUBLIC USE AND ENJOYMENT,  
18    IN FURTHERANCE OF ENVIRONMENTAL EDUCATION AND PRESERVATION OF THE  
19    NATURAL RESOURCES OF SUCH CENTER. THE LESSEE SHALL HAVE SOLE DISCRETION  
20    IN DETERMINING WHICH INVESTMENTS BY THE PRIVATE SECTOR, AND THE PARTIES  
21    MAKING SUCH INVESTMENTS SHALL BE ACCEPTED OR REJECTED. THE LEASE  
22    REQUIRED BY THIS SUBDIVISION SHALL AUTHORIZE THE LESSEE TO IMPOSE AND  
23    COLLECT REASONABLE USE FEES FOR EVENTS, PROGRAMS AND ACTIVITIES  
24    CONDUCTED BY IT UPON THE GROUNDS OF THE ROGERS ENVIRONMENTAL EDUCATION

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

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1 CENTER INCLUDING, BUT NOT LIMITED TO, SUCH EDUCATIONAL PROGRAMS, RECRE-  
2 ATIONAL ACTIVITIES, USES OF SUCH CENTER AND FUNDRAISING EVENTS AS SHALL  
3 BE DETERMINED BY THE LESSEE IN ITS DISCRETION; PROVIDED, HOWEVER, THAT  
4 ALL FEES AND REVENUE COLLECTED BY THE LESSEE SHALL BE USED EXCLUSIVELY  
5 FOR THE OPERATION AND MAINTENANCE OF THE CENTER. SUCH LEASE SHALL  
6 CONTAIN SUCH TERMS AND CONDITIONS AS THE COMMISSIONER SHALL DEEM NECES-  
7 SARY TO PROTECT THE PUBLIC INTEREST, INSURE PUBLIC ACCESS AND PROTECT  
8 THE NATURAL RESOURCES OF THE CENTER, WHILE NOT RESTRICTING THE LESSEE'S  
9 USE AND OPERATION THEREOF FOR THE BENEFIT AND ENJOYMENT OF THE PUBLIC.  
10 S 2. This act shall take effect immediately.