STATE OF NEW YORK

5592--A

2019-2020 Regular Sessions

IN SENATE

May 8, 2019

Introduced by Sen. KAMINSKY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 269 of the laws of 1979 relating to authorizing the county of Nassau to lease certain lands acquired pursuant to the provisions of article fifteen of the parks and recreation law, in relation to extending such authorization to lease or permit certain premises

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Sections 1, 1-a and 1-b of chapter 269 of the laws of 1979 relating to authorizing the county of Nassau to lease certain lands acquired pursuant to the provisions of article fifteen of the parks and recreation law, section 1 as amended and sections 1-a and 1-b as added by chapter 459 of the laws of 1998, are amended to read as follows:

Section 1. Notwithstanding any other provision of law to the contrary, the governing body of the county of Nassau, may lease for fair market value and upon such terms and conditions as such governing body, in its discretion, shall deem fair and reasonable, for an initial period not to exceed twenty years and may thereafter lease, for an additional period not to exceed ten years **Lot 9, formerly** Lots 1, 2, 7 and 8, set forth in Section 58, Block A on the Land and Tax Map of the county of Nassau, and located at Silver Point, Atlantic Beach in the town of Hempstead, such lands having been acquired by the county pursuant to article fifteen of the former parks and recreation law**, and the authorization provided hereby shall further include any period where there was or is a lease or permit for the subject premises in effect up to and including January 1, 2021, and the governing body of the county of Nassau may thereafter lease such premises for fair market value and upon such terms and condi-**

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

LBD11475-02-0

tions as the governing body, in its discretion, shall deem fair and reasonable, for an additional period not to exceed twenty years. During the period of such lease **or permit**, such land shall remain on the assessment rolls of the municipality, school districts and other districts in which they are located and shall be subject to real estate taxes and assessments in the same manner as privately owned lands. The tenant's **or permittee's** rights under such lease **or permit** to occupy and use such lands shall be conditioned on the prompt payment of the full amount of such taxes and assessments with interest and penalties, if any. A copy of such lease **or permit** shall be filed with the Nassau county clerk within ten days after such lease **or permit** is executed.

§ 1-a. Any amounts received by the county of Nassau pursuant to [~~the~~] **any** lease **or permit** authorized pursuant to section one of this act shall be used by such county for the acquisition of additional parklands or capital improvements to existing parks or financing of additional parklands or additional improvements to existing parks; provided, however, that such amounts shall be placed into an account which is utilized only for park and recreational purposes.

§ 1-b. If the lessee **or permittee** of the lands authorized to be leased pursuant to section one of this act shall fail or cease to use such lands and improvements thereon for public recreational purposes, the leasehold **or permit** on such lands and improvements shall terminate and possession thereof shall immediately revert to the county of Nassau.

§ 2. This act shall take effect immediately.