

STATE OF NEW YORK

4742--B

2021-2022 Regular Sessions

IN ASSEMBLY

February 8, 2021

Introduced by M. of A. WOERNER, ENGLEBRIGHT, OTIS, McMAHON, LUPARDO, ABINANTI, JONES -- read once and referred to the Committee on Governmental Operations -- reference changed to Tourism, Parks, Arts and Sports Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the parks, recreation and historic preservation law, in relation to establishing the "New York state two hundred fiftieth commemoration act"; to amend the state finance law, in relation to establishing the New York state two hundred fiftieth commemoration commission fund; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Short title. This act shall be known and cited as the "New
2 York state two hundred fiftieth commemoration act".
3 § 2. Legislative findings and intent. The legislature finds that New
4 York played an immense role in the lead up to and execution of the Amer-
5 ican Revolution during the period of 1774-1783, and was the site of
6 several important battles, skirmishes and other events that were inter-
7 nationally significant during the Revolutionary era. The American Revo-
8 lution itself was imperfect and many, including women, African Ameri-
9 cans, and Native Americans, did not benefit from its ideals of liberty
10 and freedom. However, the struggle to fully realize the ideals of the
11 Revolution has continued over the past 250 years as is evident in New
12 York's leading role in such revolutionary civil rights movements as the
13 women's rights and abolitionist movements, the underground railroad, and
14 the LGBTQ movement.

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

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1 The legislature further finds that the Bicentennial of the American
2 Revolution in 1976 drew international attention and attendance at events
3 and sites across New York and the nation and had a lasting impact on
4 historical education and public history. The legislature further finds
5 that the commemoration of the 250th anniversary of the American Revolution
6 should also be an occasion for recognition of New York's vital
7 role in the Revolution itself as well as the ongoing struggle of marginalized
8 groups to achieve the ideals of the Revolution. This commemoration
9 should be statewide, involving all the people of the state
10 through imaginative and innovative programs, grants, events, exhibits,
11 new and expanded facilities, and marketing to engage the people of the
12 nation and from all parts of the world.

13 The legislature further finds that the 250th anniversary and the years
14 proceeding it offers great opportunity to educate and inspire the people
15 of the state to increase recognition and appreciation of New York's role
16 in the American Revolution and subsequent civil rights struggles as well
17 as the complex nature of the state and nation's history with regards to
18 the ideals of liberty and freedom. Therefore, it is the intention of
19 the legislature to establish a commission for planning and development
20 for the commemoration of the 250th anniversary of the American Revolution
21 in New York state to take place in coordination with the national
22 celebration.

23 § 3. The parks, recreation and historic preservation law is amended by
24 adding a new section 14.12 to read as follows:

25 § 14.12 New York state two hundred fiftieth commemoration commission.

26 1. As used in this section, the following terms shall mean and include:

27 (a) "Commission" means the New York state two hundred fiftieth commem-
28 oration commission created by subdivision two of this section.

29 (b) "Heritage organization" means a historic site, historical society,
30 battlefield, historic park, history-based museum, friends groups,
31 library, archive, academic institute, historical anniversary organiza-
32 tion, historical awareness group or Native American cultural center
33 whose mission is to preserve and promote the history of a locale,
34 region, people, or the entirety of the state.

35 2. (a) The office shall create the New York state two hundred fiftieth
36 commemoration commission. From the effective date of this section until
37 December thirty-first, two thousand thirty-three, such commission shall
38 develop, plan, promote and coordinate activities to commemorate the two
39 hundred fiftieth anniversary of the American Revolution. Such activities
40 shall include but not be limited to:

41 (i) making heritage organizations the focal points for the commem-
42 oration;

43 (ii) coordinating forums across the state to seek ideas from the
44 public on the commemoration including how New Yorkers, Americans and
45 those from other countries may celebrate such anniversary;

46 (iii) coordinating with civic, educational and heritage organizations
47 to develop public interest and involvement in the planning and develop-
48 ment of the commemoration;

49 (iv) promoting and encouraging educational outreach programs using
50 media and technology including electronic communications to achieve
51 national and international impact;

52 (v) coordinating the planning of commemorative events for all inter-
53 ested communities throughout the state;

54 (vi) inviting other interested states and nations to participate in
55 programs and events for the commemoration;

1 (vii) coordinating and promoting the holding of meetings, conferences,
2 seminars and conventions in interested communities using such anniver-
3 sary as an attraction and theme;

4 (viii) coordinating and promoting the holding of community engagement
5 and educational events in interested communities using such anniversary
6 as an attraction and theme;

7 (ix) seeking funding from private individuals, foundations and corpo-
8 rations to support capital improvements, preservation and conservation
9 needs associated with events and sites commemorating such anniversary;

10 (x) coordinating and cooperating with state entities and tourist
11 promotion agencies, as defined in article five-A of the economic devel-
12 opment law;

13 (xi) coordinating and cooperating with local, state and federal enti-
14 ties including those relating to heritage area promotion and any federal
15 commission created to participate in planning and development of such
16 anniversary observance; and

17 (xii) setting goals and benchmarks for the work of the commission.

18 (b) The commission shall coordinate and consult with the New York
19 state military museum and veterans research center, Saratoga national
20 historical park, Champlain Valley National Heritage Partnership, Erie
21 Canalway National Heritage Corridor, Maurice D. Hinchey Hudson River
22 Valley National Heritage Area, Niagara Falls National Heritage Area,
23 Humanities New York, Association of Public Historian of New York State,
24 the Preservation League of New York State, national historic landmarks,
25 national historic landmark stewardship organizations and any other
26 organizations it deems necessary in the development, planning, promotion
27 and coordination of activities to commemorate the two hundred fiftieth
28 anniversary of the American Revolution.

29 (c) The commission shall coordinate and consult with each of the
30 following: the Cayuga Nation, the Oneida Indian Nation, the Onondaga
31 Indian Nation, the Saint Regis Mohawk Tribe, the Seneca Nation of Indi-
32 ans, the Shinnecock Indian Nation, the Stockbridge-Munsee Community Band
33 of Mohican Indians, the Tonawanda Band of Seneca, and the Tuscarora
34 Nation.

35 (d) The commission shall consist of thirteen voting members to be
36 appointed as follows:

37 (i) the commissioner or his or her designee;

38 (ii) the commissioner of the department of education or his or her
39 designee;

40 (iii) the president and chief executive officer of empire state devel-
41 opment or his or her designee;

42 (iv) three members shall be appointed by the governor, two members
43 shall be appointed by the temporary president of the senate, two members
44 shall be appointed by the speaker of the assembly, one member shall be
45 appointed by the minority leader of the senate and one member shall be
46 appointed by the minority leader of the assembly, to the extent practi-
47 cable, these appointments shall include a representative from each of
48 the ten regional economic development councils; and

49 (v) the New York state historian.

50 (d) To the extent practicable, such appointees shall have a profes-
51 sional background in one or more of the following fields: local govern-
52 ment historian, academic historian, museum professional, social studies
53 teacher or professor, tourism professional, archeologist, anthropolo-
54 gist, or other expertise in the field of New York state history and/or
55 historic preservation.

1 (e) The commissioner and the commissioner of the department of educa-
2 tion shall be co-chairpersons of the commission. Vacancies in the
3 membership of the commission shall be filled in the same manner provided
4 for original appointments.

5 (f) A majority of the members of the commission shall constitute a
6 quorum.

7 (g) The members of the commission shall receive no compensation for
8 their services but shall be allowed their actual and necessary expenses
9 incurred in the performance of their duties.

10 (h) The commission shall hold a meeting at least once each quarter.

11 3. The commission shall have the power:

12 (a) to prepare, publish and disseminate information or reports to
13 highlight for state agencies, local governments, and the general public
14 issues, problems, and opportunities relevant to the two hundred fiftieth
15 anniversary of the American Revolution;

16 (b) to assist local governments and other appropriate organizations to
17 plan commemorations of the two hundred fiftieth anniversary of the Amer-
18 ican Revolution, and to do this, as far as possible, through cooperation
19 and through technical assistance, including planning assistance, citizen
20 education and participation assistance, and assistance in preparation of
21 grant applications to other entities;

22 (c) to apply for and receive funds from the federal and state govern-
23 ment;

24 (d) to accept gifts for the purpose of furthering the objectives of
25 the commission pursuant to this section;

26 (e) to conduct historical, economic and cultural studies;

27 (f) to conduct education programs;

28 (g) to assist individuals, corporations, heritage organizations and
29 other public entities on ways to protect and promote the heritage
30 resources of the state;

31 (h) to prepare an annual report on the conduct of its activities which
32 shall be delivered to the governor, temporary president of the senate,
33 and the speaker of the assembly by January first;

34 (i) to serve a coordinating role in utilizing the capabilities of
35 other organizations to carry out the duties prescribed in this section;
36 and

37 (j) to exercise and perform such other powers and duties as shall have
38 been or may be conferred by law.

39 4. (a) The commission shall develop a strategic plan, which shall
40 contain plans for commemorating the state's role in the founding of the
41 nation and the ensuing two hundred fifty years of history.

42 (b) The strategic plan shall be consistent with the state historic
43 preservation plan, the Erie Canalway National Heritage Corridor preser-
44 vation and management plan, the Champlain Valley National Heritage Part-
45 nership management plan, the Niagara Falls National Heritage Area
46 management plan, the Hudson River Valley Greenway strategic plan, and
47 the Hudson-Hoosic Rivers Partnership stewardship plan, as such plans are
48 amended.

49 (c) Such strategic plan shall include, but shall not be limited to, a
50 survey or inventory of the following, together with the establishment of
51 management priorities thereof: (i) historic, cultural and other heritage
52 resources; (ii) scenic resources; and (iii) educational and recreational
53 resources.

54 (d) Within twelve months of the effective date of this section the
55 commission shall vote to finalize such plans. A copy of the strategic

1 plan shall be provided to the governor, the temporary president of the
2 senate and the speaker of the assembly.

3 (e) The commission shall propose amendments to the strategic plan
4 described in this subdivision as they are deemed to be necessary and
5 appropriate.

6 5. To effectuate the purposes of this section, the commission may
7 request from any department, board, bureau, commission or other agency
8 of the state, and the same are authorized to provide, such cooperation
9 and assistance, services and data as will enable the commission to prop-
10 erly carry out its functions pursuant to this section.

11 6. In administering the provisions of this section, the commission may
12 make, within the limitations of appropriations available thereof, grants
13 to heritage organizations towards the costs of a project approved and to
14 be undertaken pursuant to this section.

15 § 4. The state finance law is amended by adding a new section 95-j to
16 read as follows:

17 § 95-j. The New York state two hundred fiftieth commemoration commis-
18 sion fund. 1. There is hereby established in the joint custody of the
19 state comptroller and the commissioner of taxation and finance a fund to
20 be known as the "New York state two hundred fiftieth commemoration
21 commission fund".

22 2. Moneys in such fund shall consist of all moneys appropriated for
23 the purpose of such fund, donations to the New York state two hundred
24 fiftieth commemoration commission created by section 14.12 of the parks,
25 recreation and historic preservation law and all moneys appropriated,
26 credited or transferred thereto from any other fund or source pursuant
27 to law. Any interest received by the comptroller on money on deposit in
28 the fund shall be retained in and become part of the fund.

29 3. Moneys within such fund shall be made available to the New York
30 state two hundred fiftieth commemoration commission for payment of costs
31 and expenditures for the following purposes:

32 (a) no more than ten percent annually for the operation and activities
33 of such commission;

34 (b) no less than forty-five percent annually directed to the New York
35 state museum for grants to local governments and heritage organiza-
36 tions for historic programming, preservation and natural area
37 protection and management relating to the New York state two hundred
38 fiftieth commemorations, and other heritage projects like the under-
39 ground railroad, women's suffrage, and civil rights sites as such
40 commission shall identify through its strategic plan as described in
41 paragraph (c) of subdivision four of section 14.12 of the parks, recre-
42 ation and historic preservation law. This grant program shall be admin-
43 istered by the office of state history; and

44 (c) no less than forty-five percent annually directed to the office of
45 parks, recreation and historic preservation for capital improvements for
46 the state's historic sites and programming, preservation and outreach
47 relating to the New York state two hundred fiftieth commemorations.

48 4. Monies shall be payable from the fund on the audit and warrant of
49 the comptroller on vouchers approved and certified by such commission.

50 § 5. This act shall take effect immediately and shall expire and be
51 deemed repealed December 31, 2033.