

# STATE OF NEW YORK

4410--C

2021-2022 Regular Sessions

## IN SENATE

February 4, 2021

Introduced by Sens. MAYER, BORRELLO, BROOKS, GOUNARDES, HARCKHAM, HELMING, MANNION, MARTUCCI, MATTERA, OBERACKER, PALUMBO, RAMOS, REICHLIN-MELNICK, SKOUFIS, STAVISKY, STEC -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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

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

LBD01326-10-1

1 women's rights and abolitionist movements, the underground railroad, and  
2 the LGBTQ movement.

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

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

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

27 § 14.12 New York state two hundred fiftieth commemoration commission.

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

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

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

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

43 (i) making heritage organizations the focal points for the commem-  
44 oration;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40 (ii) the commissioner of the department of education or his or her  
41 designee;

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

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

51 (v) the New York state historian.

52 (d) To the extent practicable, such appointees shall have a profes-  
53 sional background in one or more of the following fields: local govern-  
54 ment historian, academic historian, museum professional, social studies  
55 teacher or professor, tourism professional, archeologist, anthropolo-

1 gist, or other expertise in the field of New York state history and/or  
2 historic preservation.

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

7 (f) A majority of the members of the commission shall constitute a  
8 quorum.

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

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

13 3. The commission shall have the power:

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

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

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

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

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

29 (f) to conduct education programs;

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

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

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

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

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

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

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

1 (d) Within twelve months of the effective date of this section the  
2 commission shall vote to finalize such plans. A copy of the strategic  
3 plan shall be provided to the governor, the temporary president of the  
4 senate and the speaker of the assembly.

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

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

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

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

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

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

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

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

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

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

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

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