

# STATE OF NEW YORK

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4742--A

2021-2022 Regular Sessions

## IN ASSEMBLY

February 8, 2021

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Introduced by M. of A. WOERNER, ENGLEBRIGHT, OTIS, McMAHON, LUPARDO, ABINANTI -- 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

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.

15 The legislature further finds that the Bicentennial of the American  
16 Revolution in 1976 drew international attention and attendance at events  
17 and sites across New York and the nation and had a lasting impact on  
18 historical education and public history. The legislature further finds

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

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1 that the commemoration of the 250th anniversary of the American Revo-  
2 lution should also be an occasion for recognition of New York's vital  
3 role in the Revolution itself as well as the ongoing struggle of margi-  
4 nalized groups to achieve the ideals of the Revolution. This commem-  
5 oration should be statewide, involving all the people of the state  
6 through imaginative and innovative programs, grants, events, exhibits,  
7 new and expanded facilities, and marketing to engage the people of the  
8 nation and from all parts of the world.

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

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

21 § 14.12 New York state two hundred fiftieth commemoration commission.

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

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

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

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

37 (i) making heritage organizations the focal points for the commem-  
38 oration;

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

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

45 (iv) promoting and encouraging educational outreach programs using  
46 media and technology including electronic communications to achieve  
47 national and international impact;

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

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

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

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

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

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

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

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

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

26 (c) The commission shall consist of twenty-two voting members to be  
27 appointed as follows:

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

29 (ii) the commissioner of the department of education or his or her  
30 designee;

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

33 (iv) a designee from each of the following: the Cayuga Nation, the  
34 Oneida Indian Nation, the Onondaga Indian Nation, the Saint Regis Mohawk  
35 Tribe, the Seneca Nation of Indians, the Shinnecock Indian Nation, the  
36 Stockbridge-Munsee Community Band of Mohican Indians, the Tonawanda Band  
37 of Seneca, and the Tuscarora Nation;

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

45 (vi) the New York state historian.

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

52 (e) The commissioner and the commissioner of the department of educa-  
53 tion shall be co-chairpersons of the commission. Vacancies in the  
54 membership of the commission shall be filled in the same manner provided  
55 for original appointments.

1 (f) A majority of the members of the commission shall constitute a  
2 quorum.

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

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

7 3. The commission shall have the power:

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

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

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

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

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

23 (f) to conduct education programs;

24 (g) to assist individuals, corporations, heritage organizations and  
25 other public entities on ways to protect and promote the heritage  
26 resources of the state;

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

30 (i) to serve a coordinating role in utilizing the capabilities of  
31 other organizations to carry out the duties prescribed in this section;  
32 and

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

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

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

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

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

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

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

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

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

12 § 95-j. The New York state two hundred fiftieth commemoration commis-  
13 sion fund. 1. There is hereby established in the joint custody of the  
14 state comptroller and the commissioner of taxation and finance a fund to  
15 be known as the "New York state two hundred fiftieth commemoration  
16 commission fund".

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

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

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

29 (b) no less than forty-five percent annually directed to the New York  
30 state museum for grants to municipalities and not-for-profit heritage  
31 organizations for historic programming, preservation and natural area  
32 protection and management relating to the New York state two hundred  
33 fiftieth commemorations, and other heritage projects like the under-  
34 ground railroad, women's suffrage, and civil rights sites as such  
35 commission shall identify through its strategic plan as described in  
36 paragraph (c) of subdivision four of section 14.12 of the parks, recre-  
37 ation and historic preservation law. This grant program shall be admin-  
38 istered by the office of state history; and

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

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

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