

# STATE OF NEW YORK

6141

2021-2022 Regular Sessions

## IN ASSEMBLY

March 10, 2021

Introduced by M. of A. NORRIS -- read once and referred to the Committee on Governmental Operations

AN ACT to create a temporary "commission to prevent childhood drowning" to improve water safety in New York state; 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. A temporary commission to be known as the "commission to  
2 prevent childhood drowning", hereafter referred to as the "commission",  
3 is hereby created to evaluate and develop programs to properly educate  
4 and instruct children on water safety and how to swim.

5 § 2. (a) The commission shall consist of eleven members to be  
6 appointed as follows: three members appointed by the governor; two  
7 members appointed by the temporary president of the senate; two members  
8 appointed by the speaker of the assembly; one member appointed by the  
9 minority leader of the senate, one member appointed by the minority  
10 leader of the assembly; the chancellor of the board of regents of the  
11 University of the State of New York or his or her designee; and the  
12 commissioner of the department of parks, recreation and historic preser-  
13 vation or his or her designee; and five ad hoc members, with one member  
14 each of the statewide chapter of the following organizations: the Ameri-  
15 can Red Cross, the YMCA, the YWCA, the Boys and Girls Club, the Jewish  
16 Community Center and the New York State Swim Commission. Vacancies in  
17 the membership of the commission shall be filled in the same manner  
18 provided for original appointments and designations.

19 (b) The members of the commission shall receive no compensation for  
20 their services, but shall be allowed their actual and necessary expenses  
21 incurred in the performance of their duties pursuant to this act. The  
22 commission may employ and at pleasure remove such personnel as it deems  
23 necessary for the performance of its functions and fix their compen-  
24 sation within the amounts made available by appropriation therefor.

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

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1 (c) The commission may hold public hearings and shall have all the  
2 powers of a legislative committee pursuant to the legislative law and is  
3 hereby authorized and empowered to undertake any studies, inquiries,  
4 surveys or analyses it may deem relevant through its own personnel or in  
5 cooperation with or by agreement with any other public or private agen-  
6 cy.

7 (d) To the maximum extent feasible, the commission shall be entitled  
8 to request and be provided with such resources and data of any depart-  
9 ment, division, board, bureau, commission or agency of the state or  
10 political subdivision thereof as it may reasonably request to carry out  
11 properly its powers and duties pursuant to this act.

12 (e) The members of the commission or any committee thereof may partic-  
13 ipate in a meeting of such commission or committee by means of a tele-  
14 phone conference or any similar communications equipment allowing all  
15 persons participating to hear each other at the same time; participation  
16 by such means shall constitute presence in person at such meeting.

17 § 3. The commission shall:

18 (a) Determine an appropriate age and/or stage of childhood development  
19 when children can properly begin water safety and swimming instructions  
20 and develop statewide standards for such instruction;

21 (b) Investigate and evaluate the feasibility and effectiveness of  
22 programs which incentivize parents and guardians to enroll children in  
23 water safety and swimming instruction;

24 (c) Develop a comprehensive plan and provide the estimated state cost  
25 for public-private partnerships between the state and community centers,  
26 nonprofit organizations, recreational facilities, swimming instructors,  
27 and other relevant stakeholders and expanding existing state resources  
28 such as parks and pools to provide access to free swimming instruction,  
29 and determine the feasibility of such programs;

30 (d) Develop an implementation plan to ensure its swimming safety  
31 programs are available in underserved communities; and

32 (e) Develop a comprehensive plan and provide the annual estimated  
33 state cost for a public awareness campaign to ensure parents and guardi-  
34 ans receive information on the importance of children receiving basic  
35 water safety and swimming instruction.

36 § 4. The commission shall make recommendations and a report of its  
37 findings no later than one year after the effective date of this act.  
38 The commission shall submit such recommendations and report, including  
39 any recommendations for legislative action as it may deem necessary and  
40 appropriate, to the governor, the temporary president of the senate, the  
41 speaker of the assembly, and shall publish its report online.

42 § 5. This act shall take effect immediately and shall expire and be  
43 deemed repealed eighteen months after it shall have become a law.