

# STATE OF NEW YORK

8689

## IN ASSEMBLY

January 10, 2022

Introduced by M. of A. WOERNER -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend a chapter of the laws of 2021 amending the parks, recreation and historic preservation law relating to establishing the "New York state two hundred fiftieth commemoration act" and amending the state finance law relating to establishing the New York state two hundred fiftieth commemoration commission fund, as proposed in legislative bills numbers S. 4410-C and A. 4742-B, in relation to establishing a commission to make recommendations for planning and development for the commemoration of the 250th anniversary of the American Revolution in New York state to take place in coordination with the national celebration; to amend the parks, recreation and historic preservation law, in relation to establishing the "New York state two hundred fiftieth commemoration act"; and to amend the state finance law, in relation to establishing the New York state two hundred fiftieth commemoration commission fund

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

1 Section 1. Section 2 of a chapter of the laws of 2021 amending the  
2 parks, recreation and historic preservation law relating to establishing  
3 the "New York state two hundred fiftieth commemoration act" and amending  
4 the state finance law relating to establishing the New York state two  
5 hundred fiftieth commemoration commission fund, as proposed in legisla-  
6 tive bills numbers S. 4410-C and A. 4742-B, is amended to read as  
7 follows:

8 § 2. Legislative findings and intent. The legislature finds that New  
9 York played an immense role in the lead up to and execution of the Amer-  
10 ican Revolution during the period of 1774-1783, and was the site of  
11 several important battles, skirmishes and other events that were inter-  
12 nationally significant during the Revolutionary era. The American Revo-  
13 lution itself was imperfect and many, including women, African Ameri-  
14 cans, and Native Americans, did not benefit from its ideals of liberty  
15 and freedom. However, the struggle to fully realize the ideals of the  
16 Revolution has continued over the past 250 years as is evident in New

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

LBD01326-12-2

1 York's leading role in such revolutionary civil rights movements as the  
2 women's rights and abolitionist movements, the underground railroad, and  
3 the LGBTQ movement.

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

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

26 § 2. Section 14.12 of the parks, recreation and historic preservation  
27 law, as added by a chapter of the laws of 2021 amending the parks,  
28 recreation and historic preservation law relating to establishing the  
29 "New York state two hundred fiftieth commemoration act" and amending the  
30 state finance law relating to establishing the New York state two  
31 hundred fiftieth commemoration commission fund, as proposed in legisla-  
32 tive bills numbers S. 4410-C and A. 4742-B, is amended to read as  
33 follows:

34 § 14.12 New York state two hundred fiftieth commemoration commission.

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

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

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

44 2. (a) The office shall create the New York state two hundred fiftieth  
45 commemoration commission. From the effective date of this section until  
46 December thirty-first, two thousand thirty-three, such commission shall  
47 develop[~~plan~~] plans to promote and coordinate activities to commem-  
48 orate the two hundred fiftieth anniversary of the American Revolution.  
49 Such [~~activities shall~~] plans may include [~~but not be limited to~~]:

50 (i) [~~making~~] including heritage organizations as the focal points for  
51 the commemoration;

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

(iii) coordinating activities with civic, educational and heritage organizations to develop public interest and involvement in the planning and development of the commemoration;

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

(v) coordinating the planning of commemorative events for all interested communities throughout the state;

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

(vii) coordinating and promoting the holding of meetings, conferences, seminars and conventions in interested communities using such anniversary as an attraction and theme;

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

(ix) seeking funding from private individuals, foundations and corporations to support capital improvements, preservation and conservation needs associated with events and sites commemorating such anniversary;

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

(xi) coordinating and cooperating with local, state and federal entities including those relating to heritage area promotion and any federal commission created to participate in planning and development of such anniversary observance; and

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

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

(c) The commission [~~shall~~ may] coordinate and consult with each of the following: the Cayuga Nation, the Oneida Indian Nation, the Onondaga Indian Nation, the Saint Regis Mohawk Tribe, the Seneca Nation of Indians, the Shinnecock Indian Nation, the Stockbridge-Munsee Community Band of Mohican Indians, the Tonawanda Band of Seneca, and the Tuscarora Nation.

(d) The commission shall consist of [~~thirteen~~ twenty-one] voting members to be appointed as follows:

(i) the commissioner or his or her designee;

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

(iii) the president and chief executive officer of empire state development or his or her designee;

(iv) [~~three~~ the commissioner of the office of general services;

(v) the secretary of state or his or her designee;

(vi) chair of the New York state tourism advisory council or his or her designee;

(vii) chair of the council for the arts or his or her designee;

1 (viii) director of the canal corporation or his or her designee;

2 (ix) four members shall be appointed by the governor, [~~two~~] three  
3 members shall be appointed by the temporary president of the senate,  
4 [~~two~~] three members shall be appointed by the speaker of the assembly,  
5 one member shall be appointed by the minority leader of the senate and  
6 one member shall be appointed by the minority leader of the assembly, to  
7 the extent practicable, these appointments shall include a represen-  
8 tative from each of the ten regional economic development councils; and  
9 [~~(v)~~] (x) the New York state historian.

10 (d) To the extent practicable, such appointees shall have a profes-  
11 sional background in one or more of the following fields: local govern-  
12 ment historian, academic historian, museum professional, social studies  
13 teacher or professor, tourism professional, archeologist, anthropolo-  
14 gist, or other expertise in the field of New York state history and/or  
15 historic preservation, or professional or volunteer fundraising experi-  
16 ence.

17 (e) The commissioner and the commissioner of the department of educa-  
18 tion shall be co-chairpersons of the commission. Vacancies in the  
19 membership of the commission shall be filled in the same manner provided  
20 for original appointments.

21 (f) A majority of the members of the commission shall constitute a  
22 quorum.

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

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

27 3. The commission shall have the power:

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

32 (b) to assist local governments and other appropriate organizations to  
33 plan commemorations of the two hundred fiftieth anniversary of the Amer-  
34 ican Revolution, and to do this, as far as possible, through cooperation  
35 and through technical assistance, including planning assistance, citizen  
36 education and participation assistance, and assistance in preparation of  
37 grant applications to other entities;

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

40 (d) notwithstanding any inconsistent provision of law, to solicit and  
41 accept gifts for the purpose of furthering the objectives of the commis-  
42 sion pursuant to this section;

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

44 (f) to conduct education programs;

45 (g) to assist individuals, corporations, heritage organizations and  
46 other public entities on ways to protect and promote the heritage  
47 resources of the state;

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

51 (i) to serve a coordinating role in utilizing the capabilities of  
52 other organizations to carry out the duties prescribed in this section;  
53 and

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

1 4. (a) The commission shall develop a strategic plan, which shall  
2 [~~contain~~] recommend plans for commemorating the state's role in the  
3 founding of the nation and the ensuing two hundred fifty years of histo-  
4 ry.

5 (b) The strategic plan shall be consistent with [~~the state historic~~  
6 ~~preservation plan, the Erie Canalway National Heritage Corridor preser-~~  
7 ~~vation and management plan, the Champlain Valley National Heritage Part-~~  
8 ~~nership management plan, the Niagara Falls National Heritage Area~~  
9 ~~management plan, the Hudson River Valley Greenway strategic plan, and~~  
10 ~~the Hudson-Hoosic Rivers Partnership stewardship plan, as such plans are~~  
11 ~~amended~~] existing management plans for resources included in the plan.

12 (c) Such strategic plan [~~shall~~] may include, but shall not be limited  
13 to, a survey or inventory of the following, together with the establish-  
14 ment of management priorities thereof: (i) historic, cultural and other  
15 heritage resources; (ii) scenic resources; and (iii) educational and  
16 recreational resources.

17 (d) [~~Within twelve months of the effective date of this section~~] By  
18 December thirty-first, two thousand twenty-two, the commission shall  
19 vote to finalize [~~such plans~~] the recommendation contained in the stra-  
20 tegic plan. A copy of the strategic plan shall be provided to the gover-  
21 nor, the temporary president of the senate and the speaker of the assem-  
22 bly.

23 (e) The commission [~~shall~~] may propose amendments to the strategic  
24 plan described in this subdivision as they are deemed to be necessary  
25 and appropriate.

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

31 6. In administering the provisions of this section, the commission may  
32 make, within the limitations of appropriations available thereof, grants  
33 to heritage organizations towards the costs of a project [~~approved and~~  
34 ~~to be undertaken pursuant to this section~~] recommended in the plan. The  
35 commission may submit letters of support for grant applications submit-  
36 ted by an organization for projects or programs recommended in the plan.

37 § 3. Section 95-j of the state finance law, as added by a chapter of  
38 the laws of 2021 amending the parks, recreation and historic preserva-  
39 tion law relating to establishing the "New York state two hundred fifti-  
40 eth commemoration act" and amending the state finance law relating to  
41 establishing the New York state two hundred fiftieth commemoration  
42 commission fund, as proposed in legislative bills numbers S. 4410-C and  
43 A. 4742-B, is amended to read as follows:

44 § 95-j. The New York state two hundred fiftieth commemoration commis-  
45 sion fund. 1. There is hereby established in the joint custody of the  
46 state comptroller and the commissioner of taxation and finance a fund to  
47 be known as the "New York state two hundred fiftieth commemoration  
48 commission fund".

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

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

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

6 (b) no less than forty-five percent annually directed to the New York  
7 state museum for grants to local governments and heritage organiza-  
8 tions upon recommendation of the commission for historic programming,  
9 preservation and natural area protection and management relating  
10 to the New York state two hundred fiftieth commemorations, and other  
11 heritage projects like the under-ground railroad, women's  
12 suffrage, and civil rights sites as such commission shall identify  
13 through its strategic plan as described in paragraph (c) of subdivi-  
14 sion four of section 14.12 of the parks, recreation and historic preser-  
15 vation law. This grant program shall be administered by the office of  
16 state history; and

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

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

23 § 4. This act shall take effect immediately; provided, however, that  
24 sections two and three of this act shall take effect on the same date  
25 and in the same manner as a chapter of the laws of 2021 amending the  
26 parks, recreation and historic preservation law relating to establishing  
27 the "New York state two hundred fiftieth commemoration act" and amending  
28 the state finance law relating to establishing the New York state two  
29 hundred fiftieth commemoration commission fund, as proposed in legisla-  
30 tive bills numbers S. 4410-C and A. 4742-B, takes effect.