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:

Section 1. Short title. This act shall be known and cited as the "New York state two hundred fiftieth commemoration act".

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

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

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

The legislature further finds that the 250th anniversary and the years proceeding it offers great opportunity to educate and inspire the people of the state to increase recognition and appreciation of New York's role in the American Revolution and subsequent civil rights struggles as well as the complex nature of the state and nation's history with regards to the ideals of liberty and freedom. Therefore, it is the intention of the legislature to establish a commission 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.

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

§ 14.12 New York state two hundred fiftieth commemoration commission.

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

(a) "Commission" means the New York state two hundred fiftieth commemoration commission created by subdivision two of this section.

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

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

(i) making heritage organizations the focal points for the commemoration;

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

(iii) coordinating 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 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 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 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 members shall be appointed by the governor, two members shall be appointed by the temporary president of the senate, two members shall be appointed by the speaker of the assembly, one member shall be appointed by the minority leader of the senate and one member shall be appointed by the minority leader of the assembly, to the extent practicable, these appointments shall include a representative from each of the ten regional economic development councils; and

(v) the New York state historian.

(d) To the extent practicable, such appointees shall have a professional background in one or more of the following fields: local government historian, academic historian, museum professional, social studies teacher or professor, tourism professional, archeologist, anthropolo-

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

(e) The commissioner and the commissioner of the department of education shall be co-chairpersons of the commission. Vacancies in the membership of the commission shall be filled in the same manner provided for original appointments.

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

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

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

3. The commission shall have the power:

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

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

(c) to apply for and receive funds from the federal and state government;

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

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

(f) to conduct education programs;

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

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

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

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

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

(b) The strategic plan shall be consistent with the state historic preservation plan, the Erie Canalway National Heritage Corridor preservation and management plan, the Champlain Valley National Heritage Partnership management plan, the Niagara Falls National Heritage Area management plan, the Hudson River Valley Greenway strategic plan, and the Hudson-Hoosic Rivers Partnership stewardship plan, as such plans are amended.

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

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

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

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

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

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

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

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

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

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

(b) no less than forty-five percent annually directed to the New York state museum for grants to local governments and heritage organizations for historic programming, preservation and natural area protection and management relating to the New York state two hundred fiftieth commemorations, and other heritage projects like the underground railroad, women's suffrage, and civil rights sites as such commission shall identify through its strategic plan as described in paragraph (c) of subdivision four of section 14.12 of the parks, recreation and historic preservation law. This grant program shall be administered by the office of state history; and

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

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

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