

STATE OF NEW YORK

7212--A

2023-2024 Regular Sessions

IN SENATE

May 18, 2023

Introduced by Sens. KRUEGER, CLEARE, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs -- recommitted to the Committee on Veterans, Homeland Security and Military Affairs in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the military law and the New York state urban development corporation act, in relation to authorizing the use of armories by legacy cadet corps programs

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

1 Section 1. Subdivision 1 of section 180-a of the military law is
2 amended by adding a new paragraph (1) to read as follows:

3 (1) "Legacy cadet corps program" shall mean a cadet corps or organized
4 militia program that has accessed or used a regimental armory located
5 within a city that has a population of over one million people for over
6 one hundred years during periods which are not periods of civil or mili-
7 tary emergency.

8 § 2. Paragraph (e) of subdivision 3 of section 180-a of the military
9 law, as added by chapter 482 of the laws of 2004, is amended and a new
10 paragraph (f) is added to read as follows:

11 (e) The management agreement and lease shall not apply to shelter use
12 or to a legacy cadet corps program. Shelter use shall be governed by a
13 separate agreement between the city of New York, the lessee and the
14 state of New York; such separate agreement shall be executed prior to
15 the execution of the lease. A legacy cadet corps program use shall be
16 governed by a separate agreement between the division and the state of
17 New York; such separate agreement shall be executed once a cadet corps
18 program is determined to be a legacy cadet corps program.

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

LBD07379-06-4

1 (f) A cadet corps program shall qualify as a legacy cadet corps
2 program if such program can sufficiently demonstrate to the urban devel-
3 opment corporation that the cadet corps program has used or occupied a
4 regimental armory for over one hundred years. Methods of sufficiently
5 proving use or occupancy shall include, but not be limited to, photos,
6 notarized statements, letters addressed to the program, bank statements,
7 and utility bills. If a cadet corps program qualifies as a legacy cadet
8 corps program, the urban development corporation shall designate them as
9 such and immediately begin to enter into a separate agreement with such
10 program.

11 § 3. Subparagraph (i) of paragraph (c) of subdivision 3 of section
12 180-a of the military law, as added by chapter 482 of the laws of 2004,
13 is amended to read as follows:

14 (i) On application of any of the associations of veterans or cadet
15 corps programs, including a legacy cadet corps program, described in
16 [~~paragraph~~] paragraphs a and b of subdivision one of such section one
17 hundred eighty-three, the lessee or the manager pursuant to the terms of
18 the management agreement shall provide a proper and convenient room or
19 rooms or other appropriate space in the armory where such posts or chap-
20 ters may hold regular and special meetings and organizational social
21 events of a private nature, without the payment of any charge or expense
22 therefor, provided that such use does not interfere with the use by the
23 lessee or the manager pursuant to the terms of the management agreement,
24 including any use by third parties contracted for under subparagraph
25 (ii) of this paragraph.

26 § 4. Subdivision (b) of section 39 of section 1 of chapter 174 of the
27 laws of 1968, constituting the New York state urban development corpo-
28 ration act, as added by chapter 482 of the laws of 2004, is amended to
29 read as follows:

30 (b) The lease with a lessee or subsequent lessee authorized by this
31 section shall require a lessee or subsequent lessee to undertake a
32 program of repair, restoration and refurbishment of the armory and to
33 manage and use the same as a facility for cultural and other civic uses.
34 The lease shall demise all portions of the armory other than those
35 reserved for a homeless shelter for women operated by the city of New
36 York pursuant to agreement with the state, those spaces reserved for use
37 by a legacy cadet corps program pursuant to an agreement between the
38 division and the state of New York, and for that reserved for military
39 use by the division. The portion of the premises allocated to the shel-
40 ter for homeless women shall be sufficient and suitable space for the
41 current and uninterrupted operation of the shelter by the city of New
42 York. The portion of the premises allocated to a legacy cadet corps
43 program shall be sufficient and suitable space for the current and unin-
44 terrupted operation, provided that it is no less than twelve hundred
45 square feet for their headquarters. The division shall cause the 107th
46 corps support group or its lineal descendent to maintain military use
47 within the reserved portions of the armory. The division, and the city
48 of New York, respectively, shall be responsible to repair and maintain
49 their reserved premises, including the costs of renovation and uninter-
50 rupted use, and to pay an annual common maintenance charge to a lessee
51 or subsequent lessee to cover allocated costs of repair, maintenance and
52 operation of the common portions of the armory. The lessee or subsequent
53 lessee shall be required to apply all revenues generated by operations
54 at the armory to pay or provide for costs of repairs, restoration,
55 refurbishment, operating, maintenance and programming of the armory and

1 the uses therein and the activities of the lessee or subsequent lessee
2 with respect thereto.
3 § 5. This act shall take effect immediately.