

3074--A

2009-2010 Regular Sessions

I N S E N A T E

March 10, 2009

Introduced by Sen. VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation 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 public authorities law and the economic development law, in relation to presentation of local attraction videos at service areas

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The public authorities law is amended by adding a new
2 section 361-e to read as follows:
3 S 361-E. TOURISM PROMOTION PROGRAM. 1. AS USED IN THIS SECTION, THE
4 FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:
5 (A) "CONTROLLED SYSTEM" SHALL MEAN AND INCLUDE THOSE PORTIONS OF THE
6 MAINLINE THRUWAY SYSTEM SET FORTH IN SECTION THREE HUNDRED FIFTY-SIX OF
7 THIS TITLE.
8 (B) "LOCAL ATTRACTION VIDEO" SHALL MEAN A CONTINUOUSLY PLAYED INFORMA-
9 TIONAL VIDEO, PRODUCED BY THE DEPARTMENT OF ECONOMIC DEVELOPMENT PURSU-
10 ANT TO THE PROVISIONS OF SUBDIVISION FORTY-THREE-A OF SECTION ONE
11 HUNDRED OF THE ECONOMIC DEVELOPMENT LAW, WHICH SHALL DESCRIBE TOURIST
12 ATTRACTIONS, EXPLAIN THEIR HISTORIES AND PROVIDE OTHER RELEVANT POINTS
13 OF INTEREST REGARDING SUCH TOURIST ATTRACTIONS AND TRAVELER AMENITIES
14 WHICH ARE IN REASONABLE PROXIMITY TO THE SERVICE AREA WHERE SHOWN.
15 (C) "SERVICE AREA" SHALL MEAN ANY ROADSIDE SITE ALONG THE CONTROLLED
16 SYSTEM WHICH PROVIDES SERVICES TO THE USERS OF THE THRUWAY INCLUDING,
17 BUT NOT LIMITED TO, FOOD, FUEL, RESTROOMS AND PARKING FACILITIES.
18 (D) "TOURIST ATTRACTION" SHALL MEAN ANY EXISTING RECREATIONAL, EDUCA-
19 TIONAL, CULTURAL, HISTORICAL, SPORTING OR OTHER FACILITIES, INCLUDING
20 SCENIC AREAS, WHICH ARE LIKELY TO ATTRACT A SIGNIFICANT NUMBER OF PEOPLE
21 FROM OUTSIDE THE REGION WHERE THE TOURIST ATTRACTION IS LOCATED.

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

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1 2. THE THRUWAY AUTHORITY SHALL DESIGN, CONSTRUCT, INSTALL, OPERATE
2 AND/OR MAINTAIN, OR CONTRACT FOR THE SAME, KIOSKS OR OTHER MEANS OF
3 DISPLAYING LOCAL ATTRACTION VIDEOS AT SERVICE AREAS ALONG THE CONTROLLED
4 SYSTEM. SUCH KIOSKS AND LOCAL ATTRACTION VIDEOS SHALL BE INSTALLED AND
5 OPERATING ACCORDING TO THE FOLLOWING SCHEDULE:

6 (A) AT TWENTY-FIVE PERCENT OF THE SERVICE AREAS ON THE CONTROLLED
7 SYSTEM NO LATER THAN JUNE THIRTIETH, TWO THOUSAND TWELVE;

8 (B) AT FIFTY PERCENT OF THE SERVICE AREAS ON THE CONTROLLED SYSTEM NO
9 LATER THAN JUNE THIRTIETH, TWO THOUSAND THIRTEEN;

10 (C) AT SEVENTY-FIVE PERCENT OF THE SERVICE AREAS ON THE CONTROLLED
11 SYSTEM NO LATER THAN JUNE THIRTIETH, TWO THOUSAND FOURTEEN; AND

12 (D) AT ONE HUNDRED PERCENT OF THE SERVICE AREAS ON THE CONTROLLED
13 SYSTEM NO LATER THAN JUNE THIRTIETH, TWO THOUSAND FIFTEEN.

14 3. THE THRUWAY AUTHORITY MAY CHARGE FEES TO BUSINESSES, ORGANIZATIONS,
15 INSTITUTIONS OR OTHER GROUPS TO BE INCLUDED IN THE LOCAL ATTRACTION
16 VIDEO AND/OR MAY INCLUDE ADVERTISING OR SPONSORSHIP NOTICES WITHIN THE
17 VIDEO PROGRAM OR POSTED NEARBY. SUCH FEES SHALL BE LEVIED ON AN ANNUAL
18 BASIS AND SHALL NOT EXCEED THE ACTUAL COSTS ATTRIBUTABLE TO THE INSTAL-
19 LATION, OPERATION AND MAINTENANCE OF SUCH ATTRACTION VIDEO; FURTHER, THE
20 CALCULATION OF SUCH FEE SHALL AMORTIZE THE INITIAL DESIGN AND
21 CONSTRUCTION COSTS OVER A TEN YEAR PERIOD.

22 4. THE THRUWAY AUTHORITY MAY UTILIZE REVENUES, NOT RESTRICTED OR
23 PLEDGED UNDER ANY BOND, COVENANT OR CONTRACT OF THE AUTHORITY, TO
24 PARTIALLY OFFSET THE COSTS OF PROVIDING SUCH KIOSKS TO PLAY SUCH LOCAL
25 ATTRACTION VIDEOS.

26 S 2. Section 100 of the economic development law is amended by adding
27 a new subdivision 43-a to read as follows:

28 43-A. (A) TO ADVISE AND COOPERATE WITH THE NEW YORK STATE THRUWAY
29 AUTHORITY IN THE DESIGN, CONSTRUCTION, INSTALLATION, OPERATION AND/OR
30 MAINTENANCE OF KIOSKS TO PLAY LOCAL ATTRACTION VIDEOS ALONG THE THRUWAY
31 SYSTEM.

32 (B) TO DESIGN AND PRODUCE, OR CONTRACT FOR THE DESIGN AND PRODUCTION
33 OF, LOCAL ATTRACTION VIDEOS AS SUCH TERM IS DEFINED BY PARAGRAPH (B) OF
34 SUBDIVISION ONE OF SECTION THREE HUNDRED SIXTY-ONE-E OF THE PUBLIC
35 AUTHORITIES LAW. THE SIZE, SPECIFICATIONS, TOURISM REGION OR SUBREGION,
36 QUALIFYING FACILITIES AND CONTENT OF EACH LOCAL ATTRACTION VIDEO SHALL
37 BE DETERMINED BY THE COMMISSIONER, IN CONSULTATION WITH LOCAL AND
38 REGIONAL TOURISM PROMOTION AGENCIES.

39 S 3. This act shall take effect immediately.