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I N S E N A T E

March 13, 2012

Introduced by Sen. LITTLE -- (at request of the Office of Parks, Recreation and Historic Preservation) -- read twice and ordered printed, and when printed to be committed to the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to amend the parks, recreation and historic preservation law, in relation to leasing and licensing of property

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

1 Section 1. Subdivision 2-d of section 3.09 of the parks, recreation
2 and historic preservation law, as amended by chapter 302 of the laws of
3 2011, is amended to read as follows:
4 2-d. Be empowered, in addition to any other provision of law authoriz-
5 ing the leasing or licensing of property under its jurisdiction, to
6 encourage investment by the private sector for the provision of equip-
7 ment and capital improvements at historic sites, state park and recre-
8 ation facilities by entering into lease or license agreements for an
9 extended term not to exceed forty years at the following: in the first
10 park region, for services provided at the observation tower, and for
11 buildings and structures commonly known as the Cave of the Winds build-
12 ing, the Top of the Falls Restaurant, the administration building, the
13 visitor center, the Goat Island center, the snack bar at the Cave of the
14 Winds, the current police building, the original Prospect Point elevator
15 building, the lower landing snack bar and the Schoellkopf Museum,
16 including improvements to structures and facilities appurtenant thereto
17 at Niagara Reservation State Park, the site of the former casino, the
18 former commission house and the eighty-slip boat marina within the boun-
19 daries of Beaver Island state park and the structures known as the navy
20 barracks, the post theater, the officers' club and the commandant's
21 house within Fort Niagara state park, [and the] buildings and structures
22 at Deveau Woods state park, AND BUILDINGS AND FACILITIES FOR ADAPTIVE
23 REUSE FOR COMMERCIAL OR RESIDENTIAL PURPOSES WITHIN KNOX FARM STATE
24 PARK; in the second park region, the building known as Minturn Mansion
25 within Long Point on Lake Chautauqua state park; in the third park
26 region, for buildings and structures commonly known as the Glen Iris

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

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1 Inn, the Pioneer Museum, the Pinewood Lodge, the Prospect house, the
2 Lauterbrunnen house, the Lower Falls restaurant building, the pool
3 concession stands, the North Entrance visitor center, the administration
4 building, the Commission house and the Stone building, including
5 improvements to structures and facilities appurtenant thereto at Letch-
6 worth State park; in the fourth park region, the structures known as the
7 caretaker's house and garage within the Buttermilk Falls state park; in
8 the seventh park region, the structure known as the brick cottage and
9 associated outbuildings at John Jay Homestead state historic site, the
10 structure known as the Hoyt House and the barns at Ogden Mills and Ruth
11 Livingston Mills state park, the outbuildings at Olana state historic
12 site and the building commonly known as the Staatsburg School in Margar-
13 et Lewis Norrie state park; in the eighth park region, for buildings and
14 structures commonly known as the Bear Mountain Inn, the A. K. Morgan
15 Overlook Lodge, the Cliff house, the Hilltop lodge, the Summit lodge,
16 the Echo lodge, the Beaver lodge and the Spring lodge, including
17 improvements to structures and facilities appurtenant thereto at Bear
18 Mountain State Park; in the ninth park region, the Boardwalk Restaurant
19 at Jones Beach state park and the buildings and structures at Nisseq-
20 uogue state park; in the eleventh park region, the structure known as La
21 Tour house, the former bottling plant and dormitory for adaptive reuse,
22 and property for the development of a golf course and related facilities
23 within Saratoga Spa state park, AND THE FORMER CLUETT, PEABODY & COMPANY
24 SHIRT MANUFACTURING COMPLEX FOR ADAPTIVE REUSE FOR COMMERCIAL OR RESI-
25 DENTIAL PURPOSES WITHIN PEEBLES ISLAND STATE PARK. Any such lease or
26 license may provide for reasonable rights of access, utilities and park-
27 ing located within the boundaries of the respective park or historic
28 site. Such extended term shall be for the purpose of assuring a lessee
29 or licensee adequate protection against loss of investments in develop-
30 ing, renovating, improving, furnishing and equipping such properties,
31 and the length of the term of any such lease or license shall have a
32 direct relationship to the period required to amortize the investment.
33 Any such lease or license shall be entered into only after a finding by
34 the commissioner that such action is compatible with public enjoyment
35 and participation in adjacent park facilities, and in the case of struc-
36 tures listed on or eligible for the state register of historic places,
37 that such lease or license will encourage investment by the private
38 sector in restoring, preserving and maintaining such properties. In
39 addition, such lease or license shall contain terms and conditions as
40 the commissioner shall deem necessary to address environmental concerns,
41 including any historic and recreational resources of such property; the
42 compatible uses of adjacent park lands and facilities; and otherwise to
43 protect the public interest. The bid prospectus submitted to prospective
44 bidders shall contain specific information concerning the nature of the
45 capital improvements or equipment to be provided by the successful
46 bidder. Revenues from the lease or license of property pursuant to this
47 section shall be deposited into the state park infrastructure fund
48 established pursuant to section ninety-seven-mm of the state finance
49 law.

50 S 2. This act shall take effect immediately.