

4358

2013-2014 Regular Sessions

I N S E N A T E

March 21, 2013

Introduced by Sens. LITTLE, MAZIARZ -- (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; and to repeal subdivision 2-g of section 3.09 of such law relating to leases and licensing to the city school district of the city of Niagara Falls

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 263 of the laws of
3 2012, 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, buildings and structures at
22 Deveaux Woods state park, INCLUDING THE BUILDING KNOWN AS SCHOELLKOPF
23 HALL FOR USE AS OFFICE SPACE, and buildings and facilities within Knox
24 Farm state park; in the second park region, the building known as

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

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

54 S 2. Subdivision 2-g of section 3.09 of the parks, recreation and
55 historic preservation law is REPEALED.

56 S 3. This act shall take effect immediately.