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I N   S E N A T E

March 10, 2016

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Introduced by Sen. NOZZOLIO -- 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 -- 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 the 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 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, and buildings and facilities within Knox Farm  
23    state park; in the second park region, the building known as Minturn  
24    Mansion within Long Point on Lake Chautauqua state park; in the third

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

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

49 S 2. No lease entered into by the office of parks, recreation and  
50 historic preservation for the construction and operation of a full  
51 service marina at Sampson state park shall result in the displacement of  
52 any currently employed worker or the loss of position, including the  
53 partial displacement such as reduction in the hours of non-overtime,  
54 wages, or employment benefits, or result in the impairment of existing  
55 collective bargaining agreements.

56 S 3. This act shall take effect immediately.