

3074

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

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.

22 2. THE THRUWAY AUTHORITY SHALL DESIGN, CONSTRUCT, INSTALL, OPERATE
23 AND/OR MAINTAIN, OR CONTRACT FOR THE SAME, KIOSKS OR OTHER MEANS OF
24 DISPLAYING LOCAL ATTRACTION VIDEOS AT SERVICE AREAS ALONG THE CONTROLLED

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

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1 SYSTEM. SUCH KIOSKS AND LOCAL ATTRACTION VIDEOS SHALL BE INSTALLED AND
2 OPERATING ACCORDING TO THE FOLLOWING SCHEDULE:

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

5 (B) AT FIFTY PERCENT OF THE SERVICE AREAS ON THE CONTROLLED SYSTEM NO
6 LATER THAN JUNE THIRTIETH, TWO THOUSAND TWELVE;

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

9 (D) AT ONE HUNDRED PERCENT OF THE SERVICE AREAS ON THE CONTROLLED
10 SYSTEM NO LATER THAN JUNE THIRTIETH, TWO THOUSAND FOURTEEN.

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

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

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

25 43-A. (A) TO ADVISE AND COOPERATE WITH THE NEW YORK STATE THRUWAY
26 AUTHORITY IN THE DESIGN, CONSTRUCTION, INSTALLATION, OPERATION AND/OR
27 MAINTENANCE OF KIOSKS TO PLAY LOCAL ATTRACTION VIDEOS ALONG THE THRUWAY
28 SYSTEM.

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

36 S 3. This act shall take effect immediately.