S T A T E O F N E W Y O R K

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:

Section 1. The public authorities law is amended by adding a new section 361-e to read as follows:

S 361-E. TOURISM PROMOTION PROGRAM. 1. AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) "CONTROLLED SYSTEM" SHALL MEAN AND INCLUDE THOSE PORTIONS OF THE MAINLINE THRUWAY SYSTEM SET FORTH IN SECTION THREE HUNDRED FIFTY-SIX OF THIS TITLE.

(B) "LOCAL ATTRACTION VIDEO" SHALL MEAN A CONTINUOUSLY PLAYED INFORMATIONAL VIDEO, PRODUCED BY THE DEPARTMENT OF ECONOMIC DEVELOPMENT PURSUANT TO THE PROVISIONS OF SUBDIVISION FORTY-THREE-A OF SECTION ONE HUNDRED OF THE ECONOMIC DEVELOPMENT LAW, WHICH SHALL DESCRIBE TOURIST ATTRACTIONS, EXPLAIN THEIR HISTORIES AND PROVIDE OTHER RELEVANT POINTS OF INTEREST REGARDING SUCH TOURIST ATTRACTIONS AND TRAVELER AMENITIES WHICH ARE IN REASONABLE PROXIMITY TO THE SERVICE AREA WHERE SHOWN.

(C) "SERVICE AREA" SHALL MEAN ANY ROADSIDE SITE ALONG THE CONTROLLED SYSTEM WHICH PROVIDES SERVICES TO THE USERS OF THE THRUWAY INCLUDING, BUT NOT LIMITED TO, FOOD, FUEL, RESTROOMS AND PARKING FACILITIES.

(D) "TOURIST ATTRACTION" SHALL MEAN ANY EXISTING RECREATIONAL, EDUCATIONAL, CULTURAL, HISTORICAL, SPORTING OR OTHER FACILITIES, INCLUDING SCENIC AREAS, WHICH ARE LIKELY TO ATTRACT A SIGNIFICANT NUMBER OF PEOPLE 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.

LBD04184-05-0

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

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

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

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

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

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

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

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

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

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

S 3. This act shall take effect immediately.