

9550--A

I N   A S S E M B L Y

March 16, 2016

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Introduced by M. of A. PALMESANO, KOLB, OAKS -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development -- 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  
25    park region, for buildings and structures commonly known as the Glen  
26    Iris Inn, the Pioneer Museum, the Pinewood Lodge, the Prospect house,

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

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

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

55 S 3. This act shall take effect immediately.