

5904

2015-2016 Regular Sessions

I N   S E N A T E

June 10, 2015

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Introduced by Sen. LITTLE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the parks, recreation and historic preservation law, in relation to leasing and licensing of certain state parklands

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,  
27 the Lauterbrunnen house, the Lower Falls restaurant building, the pool  
28 concession stands, the North Entrance visitor center, the administration

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

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1 building, the Commission house and the Stone building, including  
2 improvements to structures and facilities appurtenant thereto at Letch-  
3 worth State park; in the fourth park region, THE CONSTRUCTION AND OPERA-  
4 TION OF A FULL SERVICE MARINA AT SAMPSON STATE PARK AND the structures  
5 known as the caretaker's house and garage within the Buttermilk Falls  
6 state park; in the seventh park region, the structure known as the brick  
7 cottage and associated outbuildings at John Jay Homestead state historic  
8 site, the [structure] STRUCTURES known as THE CARRIAGE BARN, THE DAIRY  
9 BARN COMPLEX, the Hoyt House and the barns, AND FOR THE CONSTRUCTION AND  
10 OPERATION OF CABINS AND/OR COTTAGES at Ogden Mills and Ruth Livingston  
11 Mills state park AND MARGARET LEWIS NORRIE STATE PARK, AND the  
12 outbuildings at Olana state historic site [and the building commonly  
13 known as the Staatsburg School in Margaret Lewis Norrie state park]; in  
14 the eighth park region, for buildings and structures commonly known as  
15 the Bear Mountain Inn, the A. K. Morgan Overlook Lodge, the Cliff house,  
16 the Hilltop lodge, the Summit lodge, the Echo lodge, the Beaver lodge  
17 and the Spring lodge, including improvements to structures and facili-  
18 ties appurtenant thereto at Bear Mountain State Park; in the ninth park  
19 region, THE MAIN HOUSE AND WINTER COTTAGE AT CAUMSETT STATE HISTORIC  
20 PARK PRESERVE, the Boardwalk Restaurant at Jones Beach state park and  
21 the buildings and structures at Nissequogue state park; in the eleventh  
22 park region, the structure known as La Tour house, the former bottling  
23 plant and dormitory for adaptive reuse, and property for the development  
24 of a golf course and related facilities within Saratoga Spa state park.  
25 Any such lease or license may provide for reasonable rights of access,  
26 utilities and parking located within the boundaries of the respective  
27 park or historic site. Such extended term shall be for the purpose of  
28 assuring a lessee or licensee adequate protection against loss of  
29 investments in developing, renovating, improving, furnishing and equip-  
30 ping such properties, and the length of the term of any such lease or  
31 license shall have a direct relationship to the period required to amor-  
32 tize the investment. Any such lease or license shall be entered into  
33 only after a finding by the commissioner that such action is compatible  
34 with public enjoyment and participation in adjacent park facilities, and  
35 in the case of structures listed on or eligible for the state register  
36 of historic places, that such lease or license will encourage investment  
37 by the private sector in restoring, preserving and maintaining such  
38 properties. In addition, such lease or license shall contain terms and  
39 conditions as the commissioner shall deem necessary to address environ-  
40 mental concerns, including any historic and recreational resources of  
41 such property; the compatible uses of adjacent park lands and facili-  
42 ties; and otherwise to protect the public interest. The bid prospectus  
43 submitted to prospective bidders shall contain specific information  
44 concerning the nature of the capital improvements or equipment to be  
45 provided by the successful bidder. Revenues from the lease or license of  
46 property pursuant to this [section] SUBDIVISION shall be deposited into  
47 the state park infrastructure fund established pursuant to section nine-  
48 ty-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 main house and winter cottage at Caumsett  
51 state historic park preserve; for a marina at Sampson state park; the  
52 carriage barn and the dairy barn complex at Ogden Mills and Ruth Living-  
53 ston state park; and for cabins and cottages at Ogden Mills and Ruth  
54 Livingston state park and Margaret Lewis Norrie state park shall result  
55 in the impairment of any existing collective bargaining agreements.

56 S 3. This act shall take effect immediately.