



**New York State Assembly**

Carl E. Heastie, Speaker

# ANNUAL REPORT 2015

A dark blue silhouette of a city skyline, including various skyscrapers and buildings, positioned behind the large white text of the title.

Committee on  
**Tourism, Parks, Arts &  
Sports Development**

Margaret M. Markey, Chairwoman



THE ASSEMBLY  
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ALBANY

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Tourisms, Parks, Arts and  
Sports Development

COMMITTEES  
Rules  
Ways & Means  
Labor  
Racing & Wagering

December 15, 2015

The Honorable Carl E. Heastie, Speaker of the Assembly  
Legislative Office Building, Room 932  
Albany, NY 12248

Dear Speaker Heastie:

I am pleased to submit the annual report of the Assembly Standing Committee on Tourism, Parks, Arts and Sports Development for the 2015 legislative session. Included herein are details of the Committee's 2015 legislative work and other initiatives undertaken during the year. Additionally, you will find the Committee's outlook for the 2016 legislative session throughout which time, we will continue to research new ways to promote and develop tourism and expand assistance for the arts community.

The Committee's jurisdiction is expansive and diverse. It encompasses issues such as: the stewardship of the State park system, the advancement of the arts, the promotion of tourism, the protection of athletes and the preservation of recreational activities for citizens and visitors alike. The work of the Tourism Committee is a crucial element in the overall economic development strategy of the State by creating jobs and generating spending; our work serves to make New York State attractive to residents, tourists and businesses.

The State park system continues to flourish with the NY Park's 2020 plan. As part of the 2015-2016 budget, \$110 million was dedicated to the Office of Parks, Recreation and Historic Preservation for various system-wide improvements, such as: investments in energy efficiency, technology, natural resource stewardship, and trail projects. It also allocates funding for emergencies, engineering and construction oversight, and design of future year projects. Visitation numbers within the State Parks have increased by 9.6 percent and attendance records were shattered this year with State Parks being visited by 38.6 million visitors from Memorial Day weekend through Labor Day.

The Committee looks forward to celebrating the 200<sup>th</sup> anniversary of the Erie Canal. The Legislature appropriated the first funding for the canal in 1816 and a groundbreaking ceremony for the Canal took place on July 4, 1817 in Rome, NY. Construction was not completed until 1825.

As the Chair of the Committee, I would like to take this opportunity to acknowledge my colleagues and Committee Members and thank them for their hard work and diligence in the 2015 session. I look forward to working closely with them once again in the coming session. I would also like to thank you, Mr. Speaker, for your continued leadership and support.

Sincerely,

A handwritten signature in cursive script that reads "Margaret Markey". The signature is written in black ink and is positioned below the word "Sincerely,".

Margaret M. Markey, Chairwoman  
Assembly Standing Committee on Tourism,  
Parks, Arts, and Sports Development

**2015 ANNUAL REPORT  
NEW YORK STATE ASSEMBLY  
STANDING COMMITTEE ON  
TOURISM, PARKS, ARTS AND SPORTS DEVELOPMENT**

**Margaret Markey**  
Chairwoman

**Committee Members**

**Majority**

Daniel O'Donnell  
Matthew Titone  
Linda Rosenthal  
Samuel Roberts  
Dan Quart  
Frank Skartados  
Al Stirpe  
Mark Gjonaj  
Patricia Fahy  
Steven Otis  
Didi Barrett  
Rebecca A. Seawright  
Carrie Woerner

**Minority**

John D. Cerretto  
Kenneth Blackenbush  
Philip Palmesano  
Chad Lupinacci  
Daniel Stec  
Dean Murray

**Staff**

Aaron Suggs, Assistant Secretary for Program and Policy  
Kerryanne Burke, Associate Counsel  
Yolanda Bostic Williams, Principal Analyst  
Alyssa McCoy, Committee Clerk  
Colleen Honan, Committee Assistant

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## **I. COMMITTEE JURISDICTION AND ACTIVITY**

The Assembly Standing Committee on Tourism, Parks, Arts and Sports Development is responsible for reviewing and initiating legislation that affects tourism, state parks, historic sites and arts groups in New York State. The Committee's statutory purview includes: the Arts and Cultural Affairs Law, the Canal Law, the Navigation Law, the Parks, Recreation and Historic Preservation Law, the Economic Development Law and portions of the Executive Law, General Business Law, and Unconsolidated Law. Entities under the jurisdiction of the Committee include the Office of Parks, Recreation and Historic Preservation, the Department of Economic Development, Division of Tourism, the New York State Council on the Arts, the Olympic Regional Development Authority, the State Athletic Commission and the Canal Corporation.

Legislation before the Committee include issues facing the tourism industry, tourism-related businesses, and the respective agencies that promote tourism in New York State.

During the 2015 Legislative Session, 73 bills were considered by the Tourism Committee. Of these, 8 were favorably reported, 7 of them passed the Assembly, and 4 were signed into law.

## **II. 2015 BUDGETARY ACCOMPLISHMENTS**

The Assembly Standing Committee on Tourism, Parks, Arts and Sports Development is responsible for overseeing certain State agency budgets, as well as certain programs that receive funding from the State. These agencies include the Office of Parks, Recreation and Historic Preservation, the New York State Council on the Arts, the Olympic Regional Development Authority, and the “I Love NY” tourism campaign at the Empire State Development Corporation. These agencies and programs work together to promote tourism in the State, as well as provide world-class destinations for tourists to visit.

### **Empire State Development Corporation (ESDC)**

ESDC is New York State’s economic development agency. The mission of Empire State Development is to promote and grow the economy by spurring the creation of new jobs while supporting broader industries, such as tourism. ESDC is responsible for oversight of the “I Love NY” state-funded tourism campaign, and supporting local tourism campaigns across the State.

In the State Fiscal Year (SFY) 2015-2016 budget, the “I Love NY” tourism marketing division received \$4.6 million for operations. The local Tourism Matching Grants program (funding for tourism promotion agencies) received \$3.815 million. The “Market New York Program,” received \$5 million in funding for marketing and advertising to promote regional attractions, also including the promotion of New York-produced goods and products.

Other funding relevant to tourism promotion across the State includes funding of \$196,000 each for the Gateway Centers at Beekmantown and Binghamton, \$100,000 for the Queens Economic Development Corporation, \$100,000 for the Finger Lakes Tourism Alliance and \$75,000 for the Michigan Street African-American Corridor.

### **Office of Parks, Recreation and Historic Preservation (OPRHP)**

OPRHP oversees 180 state parks and historic sites. They employ management and maintenance staff, seasonal parks employees, and individuals responsible for the preservation and restoration of the system’s many historic buildings and objects.

In the SFY 2015-2016 budget, OPRHP received \$224.7 million for operations, including \$10.8 million for the Historic Preservation program and \$1 million for the Natural Heritage Trust. OPRHP also received \$112.5 million in capital from the existing New York Works Infrastructure Investment Program. This capital will be made available to address the backlog of capital rehabilitation and improvement needs in state-wide parks and historic sites. OPRHP received \$6.1 million to support the maintenance and operations of snowmobile trails.

**New York State Council on the Arts (NYSCA)**

NYSCA coordinates and evaluates applications for arts grants throughout the state, providing support for individual artists, groups and events in all disciplines. In the SFY 2015-2016 budget, NYSCA received \$6.8 million for operations and \$40.6 million for arts grants.

**Olympic Regional Development Authority (ORDA)**

ORDA historically receives a state subsidy. In the SFY 2015-2016 budget, it received \$4.3 million for operational expenses and \$2.5 million from the NY Works capital fund for improvements to the Olympic facilities.



### **III. 2015 LEGISLATIVE ACCOMPLISHMENTS**

#### **1. PROTECTING NEW YORK CONSUMERS**

##### **Extending the existing statute on the resale of tickets**

A.6976 (Markey)

Chapter 15

In the 2010 legislative session, significant changes were made to the regulation of the sale and resale of tickets to places of entertainment. As the market evolves, ensuring the protection of consumers and their rights becomes increasingly important. This legislation allows for additional time to fully understand the effects that these regulatory changes and new technologies will have on industry and consumers alike by extending the current provisions until May 14, 2016.

#### **2. PROTECTING AND PROMOTING HISTORY IN NEW YORK STATE**

##### **Authorizes the formation of the Heights heritage area; repealer**

A.3486-A (Wright)

Passed Assembly

This legislation would establish the Heights Heritage Area, set its boundaries and provide for its historic development features. The goal with this legislation is to keep this history alive through state parks designation, allowing the region to attract needed funds to improve the public landscape, market and promote local businesses and institutions, and spur economic growth to attract new businesses and increase tourism.

#### **2. ENHANCING CULTURAL INSTITUTIONS**

##### **Extending Free Admission to the Bronx Zoo**

A.7728 (Rivera)

Chapter 39

This law extends the expiration date of the one-day free admission policy of the zoological park of the New York Zoological Society (the Bronx Zoo) for an additional five years. Many students and families take advantage of this opportunity and enjoy a wonderful entertaining and educational experience.

**Extending the Michigan Street African-American Heritage Corridor Commission**  
A.7823 (Peoples-Stokes)  
Chapter 390

This law would extend the authorization for the Michigan Street African-American Heritage Corridor Commission for an additional two years until December 31, 2017, in order to ensure progress for the implementation of the Corridors vision.

**Increasing the Membership of the Michigan Street African-American Heritage Corridor Commission**  
A.7853 (Peoples-Stokes)

This law adds a representative of the WFO Studios as a voting member to the Michigan Street African-American Heritage Corridor Commission. WFO was the first radio station in western New York to focus programming towards the African American community.

### **3. PRESERVING STATE PARKS**

**Requiring a Hearing and Procedure When Public Land Closed**  
A.4973 (Englebright)  
Passed Assembly

This legislation requires that prior to the closure of lands owned, held or administered by the Office of Parks, Recreation and Historic Preservation (OPRHP) the Commissioner of OPRHP shall issue a draft report providing the justification and rationale for such closure. Also, the Commissioner is required to conduct one or more public hearings, including at least one in the impacted area of the proposed closure.

**Providing for the Continued Charitable Funding of the Natural Heritage Trust**  
A.6477 (Englebright)  
Reported to Ways & Means

This legislation would allow the Natural Heritage Trusts to invest and reinvest the funds of the corporation consistent with the Prudent Investor Act as established in §11-2.3 of the Estates, Powers and Trust Law in accordance with §2925 of the Public Authorities Law. This legislation also would add the Chairperson of the Senate Cultural Affairs Committee and the Chairperson of the Assembly Committee on Tourism, Parks, Arts and Sports Development to the list of people entitled to receive a report on the operations, accomplishments, receipts, disbursements, assets and liabilities of the Trust.

#### **4. SUPPORTING ARTISTS IN NEW YORK**

Establishing the Edward Hopper Citation of Merit for Visual Artist

A.2121-A (Jaffe)

Chapter 582

New York State history is rich with artists that have called the state home, one in particular was visual artist Edward Hopper. This legislation would establish the Edward Hopper citation of merit to honor a New York State visual artist who is making significant contributions to the advancement of arts in the State. In addition, the recipient would receive a biennial honorarium of \$10,000 and would require the recipient to present two public showings within the state each year to promote and encourage the visual arts within the state.

#### **IV. HEARINGS/ROUNDTABLES**

On September 22, 2015 the Assembly Standing Committee on Environmental Conservation, the Assembly Standing Committee on Tourism, Parks, Arts and Sports Development and the Assembly Commission on State-Local Relations held a roundtable to discuss the challenges facing Western New York beaches. Representation consisted of different jurisdictions that maintain and operate beaches on the Great Lakes of Erie and Ontario region. This roundtable presented an opportunity to compare information on issues faced by the beaches, such as the threat of beach closure, and to share expertise in addressing these concerns including possibilities for cooperation and coordination.

On November 16, 2015 the Assembly Standing Committee on Tourism, Parks, Arts and Sports Development held a hearing to discuss how the SFY 2015-2016 budget impacted the agencies and programs under the Committee's purview. The committee received testimony from representatives of the many different industries that comprise our State's tourism economy.

## V. OUTLOOK FOR 2016 LEGISLATIVE SESSION

The Committee looks forward to the 2016 legislative session legislative session. The tourism industry is one of the major employers in New York State. It has the potential to bolster the economy and provide continual job creation and economic growth. The Committee, in partnership with our colleagues, seeks to creatively and effectively utilize our assets to best enhance and grow this industry.

The 2016 legislative session brings new opportunities and challenges for the Committee in an ever-evolving marketplace. The issues that the Committee intends to pursue include the following:

- Encouraging the continued funding and promotion of our New York State Parks and cultural institutions;
- Researching innovative ways to strengthening the educational competitiveness of New York's students by exposing, transporting and delivering continuing education programs located at museum, historical society, zoo, botanical garden or aquarium throughout the State;
- Finding innovative ways to attract visitors to New York State;
- Reviewing the amendments made to the Arts & Cultural Affairs law in 2010 with regard to the sales of tickets to places of entertainment;
- Celebrating the 200th anniversary of the Erie Canal.

**APPENDIX A:**

**SUMMARY OF ALL BILLS REFERRED TO COMMITTEE ON TOURISM,  
PARKS, ARTS AND SPORTS DEVELOPMENT**

<u>FINAL ACTION</u>	<u>ASSEMBLY BILLS</u>	<u>SENATE BILLS</u>	<u>TOTAL BILLS</u>
<b>BILLS REPORTED WITH OR WITHOUT AMENDMENT</b>			
TO FLOOR; NOT RETURNING TO COMMITTEE	2	0	2
TO FLOOR; RECOMMITTED AND DIED	4	0	4
TO WAYS AND MEANS		0	
TO CODES		0	
TO RULES		0	2
TO JUDICIARY	0	0	0
TOTAL	6	0	8
<b>BILLS HAVING COMMITTEE REFERENCE CHANGED</b>			
TO COMMITTEE	0	0	1
TO COMMITTEE	0	0	1
TO _____ COMMITTEE	0	0	0
TO _____ COMMITTEE	0	0	0
TOTAL	0	0	2
<b>SENATE BILLS SUBSTITUTED OR RECALLED</b>			
SUBSTITUTED		1	1
RECALLED		1	1
TOTAL		2	2
<b>BILLS DEFEATED IN COMMITTEE</b>			
BILLS NEVER REPORTED, HELD IN COMMITTEE	67	9	76
<b>BILLS NEVER REPORTED, DIED IN COMMITTEE</b>			
BILLS HAVING ENACTING CLAUSES STRICKEN	1	0	1
MOTIONS TO DISCHARGE LOST		0	
<b>TOTAL BILLS IN COMMITTEE</b>	78	11	89
<b>TOTAL NUMBER OF COMMITTEE MEETINGS HELD</b>	4		

**APPENDIX B:**

**COMMITTEE ON TOURISM, PARKS, ARTS AND SPORTS  
DEVELOPMENT**

**2015 Bills Considered**

<b>Assembly Bill #</b>	<b>Senate Bill #</b>	<b>Last Action</b>	<b>Description</b>
A.2121-A Jaffee	S.4325-A Little	Chapter 582 of the Laws of 2015	Establishes the Edward Hopper citation of merit for visual artist.
A.3486-A Wright	No Same As	Passed Assembly	Authorizes the formation of the Heights heritage area; repealer.
A.4973 Englebright	A.4973 Serrano	Passed Assembly	Requires the conducting of public hearings and reports thereon prior to the closure of any real property by the office of parks, recreation and historic preservation.
A.6477 Englebright	No Same As	Reported to Ways & Means	Requires the Natural Heritage Trust (NHT) to invest its funds pursuant to the prudent investor act.
A.6976 Markey	A.4801 Marcellino	Chapter 15 of the Laws of 2015	Extends current regulations regarding the sale and re-sale of tickets (ticket scalping) including the prohibition against closed ticketing systems (paperless tickets).
A.7728 Rivera	S.4119-A Klein	Chapter 39 of the Laws of 2015	Extends the expiration date of the one day free admission policy of the Bronx Zoo for an additional 5 years until 2020.
A.7823 Peoples-Stokes	S.5874 Kennedy	Chapter 390 of the Laws of 2015	Extends authorization for the Michigan Street African American Heritage Corridor Commission until Dec. 31, 2017.