

New York State Assembly | Sheldon Silver, Speaker



2009 ANNUAL REPORT

committee on

Tourism, Parks, Arts, and Sports Development

Steven Englebright, Chairman

December 15, 2009

The Honorable Sheldon Silver
Speaker of the Assembly
Legislative Office Building, Room 932
Albany, NY 12248

Dear Speaker Silver:

Each year the Tourism, Parks, Arts, and Sports Development Committee oversees more than one hundred pieces of legislation. The scope of issues before the Committee is expansive, encompassing 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. Our work serves to maintain New York State's leadership in the preservation of historical assets and natural wonders as well as make New York attractive to residents, tourists and businesses alike.

The work of the Tourism Committee is a crucial element in the overall economic development strategy of the State.

Included among the broad array of initiatives considered in the 2009 legislative session was legislation that would create commissions to celebrate and memorialize the anniversaries of the War of 1812 and the Civil War, protect boaters during the fall and winter boating season, regulate mixed martial arts, create an Empire state fishing trail, and create pilot creative arts zones in several Upstate communities.

The Tourism Committee was fully engaged in the 2009-2010 State fiscal year budget process in the struggle to fight back against the proposed cuts to the New York State Council on the Arts and to assure that stabilization money was available to the State's valuable cultural resources. The 2009-2010 budget process also saw the partial restoration of the Empire Games; while the Senior Games were maintained, the Scholastic division will return in 2010 to the Greater Buffalo area.

The Tourism Committee, in cooperation with the Environmental Conversation Committee, worked to successfully restore the proposed devastating cut to the Zoo, Botanical Garden, and Aquaria program. This essential program that serves the State's families as well as the State's schools was restored and fully funded during the budget process.

I am pleased to submit the annual report of the Tourism Committee for the 2009 legislative session. Included herein are details of the Committee's work on legislation, as well as the oversight responsibilities conducted throughout the year. Additionally, you will find the Committee's legislative outlook for the 2010 legislative session. Our outlook for 2010 is challenging but allows us the opportunity to be creative, as well as innovative.

Again, I am pleased with this opportunity to expound upon the Committee's successes. I look forward to working with my colleagues and constituents in the future. I would like to thank all of them for their diligence in the 2009 session, and also thank you, Mr. Speaker, for your continued leadership.

Sincerely,

A handwritten signature in black ink that reads "Steve Englebright".

Steve Englebright
Chairman
Assembly Standing Committee on Tourism,
Parks, Arts, and Sports Development

2009
ANNUAL REPORT
NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON TOURISM, PARKS, ARTS
AND SPORTS DEVELOPMENT

Steve Englebright
Chairman

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John J. McEneny
Margaret M. Markey
Francine DelMonte
Michael N. Gianaris
Jonathan Bing
Daniel J. O'Donnell
Aileen M. Gunther
Ginny Fields
Robert Reilly
Naomi Rivera
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Annie Rabbitt
Stephen Hawley

Staff

Ernest Amabile, Legislative Coordinator
Teri Kleinmann, Associate Counsel
James Larson, Program Analyst
Quinn Hubbell, Committee Assistant
Devin Lander, Committee Clerk

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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 and 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, 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 emanates principally from legislators who are aware of the issues facing the tourism industry, tourism-related businesses, and the Office of Parks, Recreation and Historic Preservation, the New York State Council on the Arts, the Department of State, and the Canal Corporation as part of the Thruway Authority.

During the 2009 Legislative Session, 40 bills were considered by the Tourism Committee. Of these, 40 were favorably reported, 26 passed the Assembly, and 9 were signed into law.

II. 2009 LEGISLATIVE ACCOMPLISHMENTS

1. PROMOTING TOURISM WITHIN NEW YORK STATE

Creating the Empire State Fishing Trail Program

A.3270 (DelMonte)

Referred to Rules

This legislation would create the Empire State Fishing Trail Program to be run by the Commissioner of Economic Development in cooperation with the Commissioner of Environmental Conservation and the Commissioner of Parks, Recreation and Historic Preservation. The Commissioners would coordinate an effort to promote the state's fishing opportunities, improve fishing facilities, water quality and attract professional fishing tournaments at locations along the trail and ensure that top-level fishing tournaments are secured at fisheries along the fishing trail.

Authorizing the Creation of an Agri-Tourism Program

A.4277 (Cook)

Passed Assembly

This legislation authorizes the Commissioner of Economic Development in cooperation with the Commissioner of Agriculture and Markets to create a statewide program to promote and distribute regional guides to points of interest in these areas. With a booming consumer interest in agri-tourism such as farm stands, pick your own produce, and participatory farm activities, the State has the ability to capitalize on this growing market. By bringing tourists to New York State farms, the agricultural market will expand in a whole new direction, creating both jobs and revenue.

Making “I ♥ NY” the Official State Slogan

A.4692 (Morelle)

Chapter 34

This legislation would codify “I ♥ NY” as New York State’s official state slogan. The “I ♥ NY” slogan has become one of the most recognizable product brands globally, and has been emulated domestically. Ubiquitous in New York State, the slogan appears on thousands of products and promotions offered to both residents and tourists.

Placement of the “I ♥ NY” Logo

A.8413 (Rivera, N)

Passed Assembly

This legislation would require that the “I ♥ NY” logo and the internet Web site address be displayed in an easily readable manner on all State funded advertisements and public service announcements.

2. PROTECTING AND PROMOTING HISTORY IN NEW YORK STATE

Protecting Privately-Owned Historical Buildings

A.695-A (Hoyt)

Delivered to Governor

This legislation provides that a municipality may intercede on behalf the integrity of a privately-owned historical building when that building is not being properly maintained. Specifically, this legislation seeks to protect municipalities from law suits and to clearly specify their authority to intervene in the situation where a historical building or work of art is threatened by improper maintenance.

Creating the People's History Project

A.1499 (Wright)

Referred to Ways and Means

This legislation creates the People's History Project within the Office of Parks, Recreation and Historic Preservation. The Project allows for the nomination of sites of historic significance to be included in the project, whereby signs stating the significance of the site will be erected, and appropriate historic information will become a part of the educational curriculum of New York. This legislation is meant to ensure that all significant parts of New York history, concerning all groups and peoples, are acknowledged and preserved.

Installation of Sprinkler Systems in Historic Buildings

A.5513 (Englebright)

Referred to Ways and Means

This legislation establishes a revolving loan fund to be used for the purchase and installation of sprinkler systems in historic buildings. Each recipient of a loan granted will repay it from the money saved as the result of the reduction in fire insurance premiums due to the installation of a sprinkler system in the historic building. No loan made from this fund will bear any interest. It is the State's responsibility to encourage fire safety, especially in efforts to protect valuable historic buildings and the communities they serve.

Increasing the Membership of the New York State Heritage Areas Council

A.7432-A (Englebright)

Reported

This legislation would increase the number of members on the New York State Heritage Areas Advisory Council from 21 to 26 including a representative of the State Heritage Area Association, the Director or Chief Executive Officer of the Hudson River National Heritage Area, the Erie Canalway National Heritage Corridor, the Champlain Valley National Heritage Partnership and the Niagara Falls National Heritage Area.

Enhancing the Saratoga-Capital District Regional Park, Recreation and Historic Preservation Commission

A.7803 (McEneny)

Passed Assembly

This legislation would reduce the membership of the Saratoga-Capital District State Park Recreation, and Historic Preservation Commission from 14 members to 9 and require that 6 of those members reside in the eleventh park region.

Local Government Historians

A.7885 (McEneny)

Passed Assembly

This legislation would allow community districts, in cities with populations of over one million, to appoint local government historians. The historians' responsibilities would include researching and writing community history, serving as an educational resource; and, promoting historic preservation projects.

New York State Civil War 150th Anniversary Commemoration Commission

A.8157 (McEneny)

Passed Assembly

This legislation would create a temporary New York State Civil War 150th Anniversary Commemoration Commission consisting of 14 members including the Commissioner of the Department of Parks, Recreation and Historic Preservation, the Commissioner of the Department of Economic Development, and 11 members of the Civil War reenactment community to be appointed by the governor, the temporary president of the senate, the speaker of the assembly, and the Minority Leaders of the Senate and Assembly. The Commission would coordinate the commemoration of the 150th anniversary of the Civil War for the years 2011 through 2015.

New York State War of 1812 200th Anniversary Commemoration Commission

A.8405-C (Brodsky)

Passed Assembly

This legislation would create the New York State War of 1812 200th Anniversary Commemoration Commission consisting of nineteen members including the Commissioner of Parks, Recreation, and Historic Preservation, the Commissioner of Education, the Commissioner of Economic Development, representatives from Old Fort Niagara, the Battle of Ogdensburg, the Battle of Plattsburgh, Fort Wadsworth, and Sacketts Harbor, and eleven members of the re-enactment community to be appointed three each from the governor, temporary president of the senate, and speaker of the assembly, and one each from the minority leaders of the senate and assembly. The Commission would coordinate the commemoration of the 200th anniversary of the War of 1812 through the year 2015 including several re-enactment events.

Providing for the Continued Charitable Funding of the Natural Heritage Trust

A.8791 (Englebright)

Referred to Ways and 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 Trusts Law and in accordance with §2925 of the Public Authorities Law. This legislation would also 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.

3. NEW YORK STATE CANAL SYSTEMS

Public Notice of Land Abandonment by the State Canal Corporation

A.1114 (Destito)

Chapter 44

Current statute requires that notice of any land abandonment by the State Canal Corporation be published in the local newspaper or media. This legislation adds the requirement for a public hearing to be held at which evidence or further information may be submitted, when the value of the land to be abandoned is greater than \$50,000. This ensures that all interested parties are aware of, and have the ability to file a public statement either in support or against, the abandonment of lands that may affect the community.

4. ENCOURAGING THE SAFE DEVELOPMENT OF OUTDOOR AND ATHLETIC ACTIVITIES

Requiring the Chairman to Conduct State Athletic Commission Business

A.1511 (Wright)

Veto Memo 4

This legislation would require that at least two members of the State Athletic Commission, including the designated chairman, unless such chairman is incapacitated, shall constitute a quorum to conduct business. The person designated as Chairman of the Commission is the only full time commissioner and manages the commission on a day-to-day basis.

Allowing Mixed Martial Arts Events to be Held in New York State

A.2009-C (Englebright)

Referred to Ways and Means

This legislation would allow professional combative sports, known as “mixed martial arts (MMA)” to be held in the State, sets forth the jurisdiction of the New York State Athletic Commission (the “Commission”) as it relates to MMA, and would develop a process for single-discipline martial arts organizations to be approved by the Commission.

Reducing Price Controls on Certain Health Clubs

A.2052 (Morelle)

Referred to Codes

This legislation would eliminate the \$250 threshold after which contracts for tennis instruction become included in the definition for “contract for services” under the General Business Law, effectively exempting tennis instruction contracts from the strict provisions governing contracts for services. This legislation would also eliminate the price cap of \$3,600 on any contract for services, require that language warning of the dangers of steroid use be printed on all contracts for services; and, reduce the threshold from six to three months for which a consumer may cancel a contract for specific reasons including disability or relocation.

Regulating Boating Safety Certificates

A.5889-C (Galef)

Ordered 3rd Reading

This legislation would require any person born on or after January 1st 1992 to hold a Boating Safety Certificate issued to him or her by the Commissioner, the United States Power Squadrons, the United States Coast Guard Auxiliary, or other State Government in order to legally operate a mechanically propelled vessel on the navigable waters of the State. Alternately, if the operator is younger than eighteen years of age he or she must be accompanied by a person who is eighteen years of age or older and is either the holder of a Boating Safety Certificate or is not required to hold a certificate. And lastly, if the operator is eighteen years of age or older and does not hold a Boating Safety Certificate

he or she must be accompanied by someone eighteen years of age or older who holds a Boating Safety Certificate.

New York State Amateur Sports Development Advisory Council

A.6090 (Englebright)

Passed Assembly

This legislation creates the New York State Amateur Sports Development Advisory Council, comprised of eighteen members. The Council's purpose is to identify and review amateur sports activities, to advise the creation of better policies and programs in the promotion of amateur sports, and to convey this knowledge to the Commissioner. Amateur sports in New York enhance communities throughout the state, and organization of leagues and events provide both community enhancement and potential economic growth.

Enhancing the Safety of Pleasure Vessels

A.6784 (Englebright)

Reported to Codes

This legislation requires that between November 1st and May 1st all passengers of certain pleasure vessels wear personal floatation devices whenever the vessel is underway. The safety of passengers of pleasure vessels is easily enhanced by the wearing of personal floatation devices. It is the State's duty to enhance the safety of its citizens by encouraging safe behaviors.

Prohibiting Discrimination in Sports

A.7020 (Lancman)

Referred to Codes

This legislation would provide that no sporting event or competition be permitted in New York State that is sponsored by an organization that in the prior year has excluded participants based on race, religion, sexual orientation, ethnicity, citizenship or national origin. Recent events in the sporting world have raised international concern that regulations ensure equal and fair treatment of participants regardless of race, religion, sexual orientation, ethnicity, citizenship or national origin.

Extending Policies for Jet Ski Rental

A.8660 (Englebright)

Chapter 188

This bill would extend the current exemption of those renting jet skis from the required five hour safety class until January 1, 2012.

Studying the Economic Impact of Football in Western New York

A.8887 (Gabryszak)

Referred to Ways and Means

This legislation would require the Department of Economic Development to contract with an independent entity to report on the professional football home day and night games delayed both in western New York and in neighboring regions.

5. NEW YORK'S STATE AND MUNICIPAL PARKS

New York City Parks, Trees and Urban Forestry Fund

A.2769 (Glick)

Passed Assembly

This legislation establishes the New York City parks, trees and urban forestry fund and provides funding by means of a check off on city income tax returns. This fund would be used exclusively for the purpose outlined in Article 53 of the Environmental Conservation Laws of 1978. The focus of this bill is both local environmental protection, and global consequences. With an ever increasing awareness of the delicacy of our global environment, the Committee encourages the people of New York to participate in conservation efforts.

Creating Stony Brook Harbor State Park

A.3399 (Englebright)

Referred to Ways and Means

This legislation names State-owned lands in the Stony Brook area Stony Brook Harbor State Park. Currently, no State Park exists in the Stony Brook area. With funds from the Environmental Protection Fund the State is purchasing lands in this area. These lands should be combined into one singular protected entity named Stony Brook Harbor State Park.

Creating a Recycling Program Through the Office of Parks, Recreation and Historic Preservation

A.6103 (Englebright)

Reported to Ways and Means

This legislation requires the Office of Parks, Recreation and Historic Preservation to establish a recycling program and policy. New York's green spaces are a precious resource, and often those who visit them are inspired to be active participants in environmental conservation activities. Among the easiest and most important conservation activities is that of recycling. The Office of Parks, Recreation, and Historic Preservation must encourage these good habits by providing opportunity for patrons to act responsibly when visiting New York's public spaces.

Prohibiting Concealed Firearms in State and Local Parks, Except Where Hunting is Allowed

A.7183-B (Englebright)

Referred to Codes

This legislation would prohibit an unauthorized person to carry, or have in his or her possession, a concealed firearm in any Federal, State, or Municipal park, campground or other publicly dedicated recreation area. This legislation also exempts from this prohibition any park under the jurisdiction of the Department of Environmental Conservation during the spring or fall hunting seasons, any person employed by a private security firm which has contracted with the public agency having jurisdiction over the park, campground, or public recreation area, any person taking part in recreational hunting activities permitted on certain lands as determined by rule or regulation, and any privately owned residence within parks and campgrounds in the Adirondack Park and Catskill Park.

6. ENHANCING CULTURAL INSTITUTIONS

Establishing a Pilot Program for Arts-Based Districts

A.694-A (Hoyt)

Referred to Ways and Means

This legislation establishes an optional pilot program for the creation of arts-based districts in Buffalo, Troy, Rochester and Syracuse consisting mainly of residential and arts-related and service-related commercial uses to be organized as a business improvement district. Each district will have an Artist Home Ownership Program to assist artists in purchasing and rehabilitating a home within the district, be provided technical assistance through the "I Love New York" program to develop a tourism marketing plan, and be included in a grant program designed to assist in the development of districts.

Establishes the Arts and Artifacts Domestic Indemnity Act

A.4358 (Morelle)

Passed Assembly

This legislation provides authorization for the State to indemnify domestically-held art and artifacts used for exhibition in New York State, or those New York State collections loaned to institutions in other states, including terrorism indemnity. The federal Arts and Artifacts Indemnity Program only covers those exhibitions either on loan from, or on loan to, foreign institutions. With the ever increasing cost of insurance premiums, many museums, especially those smaller in size, have completely halted securing exhibitions, or participating in reciprocal loan programs. This legislation aids smaller institutions that would normally not be able to participate in these kinds of exhibitions due to the high insurance cost.

Ensuring Adequate Representation on Cultural Institution Boards

A.4544 (Rosenthal)

Chapter 99

This bill would allow ex-officio members of the board for the Trust for Cultural Resources of the city of New York to also serve concurrently as an ex officio member of the board of trustees of a participating cultural institution. It would also add the Commissioner of Cultural Affairs and allow the Deputy Mayor to send a designee.

Stabilizing the Cultural Education Report and the Local Governments Records Management Improvement Fund

A.6783 (Englebright)

Reported to Ways and Means

This legislation would increase fees for the surcharge charged by the county clerk's office for assignment of an index number to an action pending in a Supreme or County Court from \$5.00 to \$7.50 to be paid to the Commissioner of Education after depositing twenty-five cents into the Local Government Records Management Improvement Fund (LGRMIF), and from \$15.00 to \$22.50 for deposit in the Cultural Education (CE) Account.

Creating an Autonomous Board for the American Museum of Natural History Planetarium

A.6836 (Rosenthal)

Chapter 221

This legislation would allow the trustees of the American Museum of Natural History to appoint between 3 and 5 individuals to serve as members of the board of directors of the Planetarium Authority for terms of one to three years, one of which will serve as executive director. This legislation would also allow the Planetarium Authority to continue the lease with the American Museum of Natural History for the exclusive occupancy, operation and use of the planetarium.

Provides Regulation for De-accessioning of Museum Property

A.6959-A (Brodsky)

Referred to Ways and Means

This legislation would require each museum to develop, adopt, publish, and be bound by a collection management policy and mission statement. In accordance with that mission statement, all items in a museum's possession would be accessioned and a register of the contents of the collection would be published. This legislation would also prohibit a museum from disposing of an item it its collection except as set forth in this statute and in its mission statement and collections management policy and not until the item has been deaccessioned.

Extending the Offering of a Free Day at the Bronx Zoo

A.7394-A (Rivera)

Chapter 49

This legislation would provide for the continuation of the weekly one-day free admission to the zoological park (Bronx Zoo) of the New York Zoological Society for an additional three years until July 1, 2012.

Increasing Membership of the Executive Mansion Trust

A.8395 (McEneny)

Passed Assembly

The legislation would increase the number of voting directors of the Executive Mansion Trust from five to fifteen and eliminate the ex officio representative from the New York Historical Society. This legislation would also provide staggered terms for the corporate directors, and make technical amendments to clarify that the Executive Mansion Trust is a public benefit corporation.

7. PROTECTING NEW YORK CONSUMERS

Regulating Auctions

A.1730-C (Brodsky)

Referred to Rules

This legislation would hold the auctioneer responsible for the truth of any statement relating to any auction. This legislation also covers new requirements imposed on auctioneers in order to conduct auctions, including, but not limited to: clear ownership of property to be auctioned, disclosing interest, direct or indirect, including a guaranteed minimum, of the auction house in the items to be auctioned, rebate commissions, the reserve price, loan to purchasers, and to accurately describe the items to be offered for sale.

Regulating Ticket Resale

A.7950-D (Englebright)

Chapter 68

This legislation extends current regulations of ticket resale until May 15, 2010. It also requires that a venue determine whether a seat has an obstructed view and disclose such information to the purchaser of the ticket.

Clarifying Regulations for Ticket Sale and Resale

A.8623-A (Englebright)

Passed Assembly

This legislation would require that any operator or promoter selling tickets for an event must determine whether a seat for sale has an obstructed view and disclose such information and any reseller selling a ticket for a seat with an obstructed view must also disclose such information as disclosed by the operator or promoter. This legislation would also require a study to be conducted on the ticket selling industry by the consumer protection board.

Providing for the Application of Current Law

A.8698-A (Englebright)

Passed Assembly

This legislation would provide that the provisions of Article 25 of the Arts and Cultural Affairs Law are revived and deemed in effect beginning June 1, 2009 and sunset on May 15, 2010. This legislation ensures that the application of the current law regarding the resale of tickets is consistent with legislative intent.

III. HEARINGS/ROUNDTABLES

Throughout the 2009 legislative session, new issues emerged that would require further research and discussion. In addition, these issues such as professional mixed martial arts, heritage areas, and the post production film tax credit, would need to be considered within the context of a dire state economy.

On December 9th, 2009 the Assembly Standing Committee on Tourism, Parks, Arts, and Sports Development in conjunction with the Assembly Standing Committee on Oversight, Analysis and Investigation held a Budgetary Oversight Hearing hosting the Office of Parks, Recreation and Historic Preservation, and the New York State Council on the Arts.

IV. OUTLOOK FOR 2010 LEGISLATIVE SESSION

The financial crisis that has wreaked havoc on the state and national economies in 2009 brings with it the prospects of an austere budget as the state moves forward into the 2010-2011 state fiscal year. In light of this situation, however, the Committee will continue to strive to meet the needs of the citizens of the state; their need of recreation, the arts, and the need to preserve and share the history of this great state.

The 2010 legislative session will bring the opportunity for the Committee to work and partner with the Senate committee on Tourism, as well as take an active part in several inter-agency collaborations to help the state maximize tourism and arts spending and communication.

The overwhelming success of the Film Production Tax Credit has been evidenced by a number of potential runaway productions deciding to film in New York. This credit brings in millions in additional spending, substantial tax revenue, and keeps New York and New Yorkers working, while easily offsetting the costs of maintaining the credit. It is the intention of the Committee to advocate for the expansion of the credit, as well as a new additional post production tax credit.

This year the Committee will also undertake legislation that will protect and preserve all State park land, recognizing its unique biodiversity and importance to habitat preservation, as well as the natural history of our State.

Another issue that will warrant both public hearings and legislation during the 2010 legislative session is the secondary ticket resale market. Examination of the impact of current secondary ticket resale statute and its effect on consumers, the economy, and business will all be addressed.

As always, the Committee will continue to work with arts and cultural groups to secure additional legislative success. We remain interested in initiatives to help localities capitalize on the local arts and cultural fabric making up their communities. We look forward to meeting with the industry and continuing to review their proposals and suggestions.

I am excited about the opportunities facing the Committee in the upcoming session. I look forward to working alongside the members of the Committee in efforts to ensure that the needs of our broad constituency are adequately addressed -- I look forward to that challenge.

APPENDIX A
Summary of All Bills Referred to
Committee on Tourism, Arts and Sports Development

| <u>FINAL ACTION</u> | | <u>ASSEMBLY BILLS</u> | <u>SENATE BILLS</u> | <u>TOTAL BILLS</u> |
|---|-----------|---------------------------|-------------------------|------------------------|
| BILLS REPORTED WITH OR WITHOUT AMENDMENT | | | | |
| TO FLOOR; NOT RETURNING TO COMMITTEE | | 11 | 0 | 11 |
| TO FLOOR; RECOMMITTED AND DIED | | 0 | 0 | 0 |
| TO WAYS AND MEANS | | 14 | 0 | 14 |
| TO CODES | | 15 | 0 | 15 |
| TO RULES | | 0 | 0 | 0 |
| TO JUDICIARY | | 0 | 0 | 0 |
| TOTAL | | 40 | 0 | 40 |
| BILLS HAVING COMMITTEE REFERENCE CHANGED | | | | |
| TO <u>Transportation</u> | COMMITTEE | 1 | 0 | 1 |
| TO _____ | COMMITTEE | | | |
| TO _____ | COMMITTEE | | | |
| TO _____ | COMMITTEE | | | |
| TOTAL | | 1 | 0 | 1 |
| SENATE BILLS SUBSTITUTED OR RECALLED | | | | |
| SUBSTITUTED | | | 1 | 1 |
| RECALLED | | | 1 | 1 |
| TOTAL | | | 2 | 2 |
| BILLS DEFEATED IN COMMITTEE | | | | |
| | | 0 | 0 | 0 |
| BILLS NEVER REPORTED, HELD IN COMMITTEE | | | | |
| | | 0 | 0 | 0 |
| BILLS NEVER REPORTED, DIED IN COMMITTEE | | | | |
| | | 54 | 0 | 54 |
| BILLS HAVING ENACTING CLAUSES STRICKEN | | | | |
| | | 1 | 0 | 1 |
| MOTIONS TO DISCHARGE LOST | | | | |
| | | 0 | 0 | 0 |
| TOTAL BILLS IN COMMITTEE | | | | |
| | | 96 | 2 | 96 |
| TOTAL NUMBER OF COMMITTEE MEETINGS HELD | | | | |
| | | 12 | | |

APPENDIX B
Final Action on Bills Reported by the Tourism Committee

| Assembly Bill # Sponsor | Senate Bill # Sponsor | Final Action | Description |
|------------------------------------|----------------------------------|----------------------------|---|
| A.694-A Hoyt | S.3496-A Valesky | Referred to Ways and Means | Pilot program to establish art-based districts in Buffalo, Rochester, Syracuse and Troy. |
| A.695-A Hoyt | S.1980-A Valesky | Delivered to Governor | Protects privately-owned historic buildings from demolition by neglect. |
| A.1114 Destito | S.2830 Valesky | Chapter 44 | Requires notice of canal land abandonment be published in a local newspaper, and a hearing be held. |
| A.1499 Wright | None | Referred to Ways and Means | Creates the People's History Project within the Department of Parks, Recreation and Historic Preservation. |
| A.1511 Wright | S.3116 Huntley | Vetoed Memo 4 | Requires the presence of the commissioner to constitute a quorum of the State Athletic Commission. |
| A.1730-C Brodsky | S.4313-B Squadron | Passed Assembly | Specifies requirements of auctions; holds the auctioneer responsible for truth of statements in catalogues. |
| A.2009-C Englebright | S.2165-B Parker | Referred to Ways and Means | Establishes protocols for combative sports; authorizes mixed martial arts events in New York State. |
| A.2052 Morelle | None | Referred to Codes | Eliminates price controls on health club contracts: annual and limited duration tennis. |
| A.2769 Glick | None | Passed Assembly | Creates New York City Parks, Trees, and Urban forestry fund |
| A.3270 DelMonte | S.283 Little | Passed Assembly | Establishes the Empire State Fishing Trail program within the department of economic development. |
| A.3399 Englebright | None | Referred to Ways and Means | Establishes the Stony Brook Harbor State Park as part of the state park preserve system. |
| A.4277 Cook | S.1329 Serano | Passed Assembly | Authorizes the development of a program to distribute statewide and regional guides to agri-tourism. |
| A.4358 Morelle | S.3078 Valesky | Passed Assembly | Establishes the Arts and Artifacts Domestic Indemnity Act. |

| | | | |
|-------------------------|-------------------------|---------------------------------|---|
| A.4544 Rosenthal | S.3656 Serrano | Chapter 99 | Relates to the board of trustees of the trust for cultural resources in the city of New York and ex-officio standing. |
| A.4692 Morelle | S.3424 Serrano | Chapter 34 | Makes the phrase "I ♥ NY" the official state slogan |
| A.5513 Englebright | None | Referred to Ways and Means | Provides for loans to be made for the installation of sprinkler systems in historic buildings. |
| A.5889-C Galef | S.5752-B Klein | Ordered 3 rd Reading | Requires boating safety certificates of all persons operating a mechanically propelled vessel; repealer. |
| A.6090 Englebright | None | Passed Assembly | Creates the New York State Amateur Sports Development Advisory Council. |
| A.6103 Englebright | S.3425 Serano | Referred to Ways and Means | Requires the Office of Parks, Recreation, and Historic Preservation to establish a recycling program and policy. |
| A.6156 Ramos | S.5502 Johnson | Vetoed Memo. 73 | Provides for the transfer of lands previously comprising Pilgrim State Hospital. |
| A.6783-A Englebright | S.3640-A Oppenheimer | Referred to Ways and Means | Increases write-down fees to provide monies to the State Museum, and State Archives. |
| A.6784 Englebright | S.3024 Thompson | Chapter 115 | Requires the wearing of personal floatation devices on pleasure vessels under 21 feet between November and May. |
| A.6836 Rosenthal | S.3583 Krueger | Chapter 221 | Relates to the American Museum of Natural History Planetarium. |
| A.6959-A Brodsky | S. 4584-A Serrano | Referred to Ways and Means | Relates to the accessioning and de-accessioning of museum property. |
| A.7020 Lancman | S.3932 Stavisky | Referred to Codes | Prohibits sporting events held by organizations who have excluded participation based on race, sex, sexual orientation, ethnicity or national origin. |
| A.7183-B Englebright | S.4753-A Serrano | Referred to Codes | Prohibits the possession of concealed firearms in any park, campground, or other recreation area. |

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| A.7394-A Rivera, J. | S.3755 Hassell-Thompson | Chapter 49 | Extends the free one day admission program to the zoological park. |
| A.7432-A Englebright | S.5483 Serrano | Chapter 317 | Increases the membership of the New York State Heritage Areas Advisory Council from 21 to 26. |
| A.7803 McEneny | S.3351-A Serrano | Passed Assembly | Relates to the membership of the Saratoga-Capital district regional park, recreation and historic preservation commission. |
| A.7885 McEneny | None | Passed Assembly | Authorizes the appointment of local government historians. |
| A.7950-D Englebright | S.3821-B Johnson | Chapter 68 | Prohibits the agents of operators from selling tickets to secondary ticket resellers; extends the expiration of ticket scalping provisions. |
| A.8157 McEneny | S.4377 Maziarz | Passed Assembly | Creates the "New York State Civil War 150 th Anniversary Commemoration Commission". |
| A.8395 McEneny | S.5811 Serrano | Passed Assembly | Changes the composition of the board of directors of the Executive Mansion Trust. |
| A.8405-C Brodsky | S.5603-C Aubertine | Passed Assembly and Senate | Establishes the "New York State War of 1812 200 th Anniversary Commemoration Commission". |
| A.8413 Rivera, N. | S.5834 Serrano | Passed Assembly | Requires the New York State tourism Web site to be displayed in any advertisement or public service announcement funded by state money. |
| A.8623-A Englebright | S.5715-A Johnson, C. | Passed Assembly | Establishes a study commission to report on the effectiveness of regulation of the sale of tickets; repealer. |
| A.8660 Englebright | S.5827 Serrano | Chapter 188 | Relates to the effectiveness of provisions relating to the operation of a leased craft without a boating safety certificate. |

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| A.8698-A Englebright | S.5804-A Johnson, C. | Passed Assembly | Revives, until May 15, 2010, the repealed provisions of article 25 of the arts and cultural affairs law, relating to tickets of places of entertainment. |
| A.8791 Englebright | None | Referred to Ways and Means | Requires the natural heritage trust to invest its funds pursuant to the prudent investor act. |
| A.8887 Gabryszak | None | Referred to Ways and Means | Requires a qualified, independent entity to prepare a report on the tourism and economic impact of professional football home day and night games. |

APPENDIX C
List of Laws Enacted During the 2009 Legislative Session

| Assembly Bill # Sponsor | Senate Bill # Sponsor | Final Action | Description |
|------------------------------------|----------------------------------|---------------------|---|
| A.1114 Destito | S.2830 Valesky | Chapter 44 | Requires notice of canal land abandonment be published in a local newspaper, and a hearing be held. |
| A.4544 Rosenthal | S.3656 Serrano | Chapter 99 | Relates to the board of trustees of the trust for cultural resources in the city of New York and ex-officio standing. |
| A.4692 Morelle | S.3424 Serrano | Chapter 34 | Makes the phrase "I ♥ NY" the official state slogan |
| A.6784 Englebright | S.3024 Thompson | Chapter 115 | Requires the wearing of personal floatation devices on pleasure vessels under 21 feet between November and May. |
| A.6836 Rosenthal | S.3583 Krueger | Chapter 221 | Relates to the American Museum of Natural History Planetarium. |
| A.7394-A Rivera, J. | S.3755 Hassell-Thompson | Chapter 49 | Extends the free one day admission program to the zoological park. |
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