



2018 ANNUAL REPORT

New York State Assembly

Carl E. Heastie

Speaker

Committee on

**Tourism, Parks, Arts
and Sports Development**

Daniel O'Donnell

Chair





THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Committee on Tourism, Parks, Arts
and Sports Development

COMMITTEES
Codes
Education
Environmental Conservation

DANIEL O'DONNELL
Member of Assembly
69th Assembly District

December 15, 2018

The Honorable Carl E. Heastie
Legislative Office Building, Room 932
Albany, NY 12248

Dear Speaker Heastie,

On behalf of the Assembly Standing Committee on Tourism, Parks, Arts and Sports Development, I respectfully submit to you the Committee's 2018 annual report.

In the 2018 legislative session, our Committee took action on a number of substantive bills. One of the most important issues the Committee spearheaded was the bipartisan legislation to reform New York's ticket resale law in an effort to increase transparency and fairness for consumers.

Further, in 2018, the Committee led the fight for the second year of obtaining increased funding in the state budget for the New York State Council on the Arts. To ensure availability to smaller organizations throughout the state, the Committee was able to secure increased funding directed to grants that do not require matching funds, as well as lowering the minimum grant amounts.

As the Chair of the Committee, I would like to take this opportunity to thank my colleagues and the members of the Committee for their support of and contributions to this year's legislative and budget efforts. I also wish to express my gratitude to the State agencies for their assistance and cooperation and to the staff for their dedication and hard work.

Mr. Speaker, on behalf of the members of the Committee, I want to thank you for your encouragement and support of our efforts throughout the 2018 Session. With your continued leadership, we look forward to a productive Legislative Session in 2019.

Sincerely,

A handwritten signature in blue ink that reads "Daniel O'Donnell".

Daniel O'Donnell
Chair, Committee on Tourism, Parks, Arts, and Sports Development

**2018 ANNUAL REPORT
NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON
TOURISM, PARKS, ARTS AND SPORTS DEVELOPMENT**

Daniel J. O'Donnell
Chairman

Committee Members

Majority

Matthew Titone
Linda B. Rosenthal
Dan Quart
Al Stirpe
Patricia Fahy
Steven Otis
Didi Barrett
Carrie Woerner
Jaime R. Williams
Donna A. Lupardo
Robert C. Carroll
Billy Jones
Nathalia Fernandez

Minority

Jacob Ashby
Philip A. Palmesano
Daniel G. Stec
Ron Castorina, Jr.
Angelo J. Morinello
Michael Norris

Staff

Aaron Suggs, Assistant Secretary for Program and Policy
Teri Kleinmann, Associate Counsel
Yolanda Bostic Williams, Principal Analyst
Daniel Gordon, Committee Assistant
Cheryl Myers, Committee Clerk
Dawn Fowler, Program and Counsel Secretary

TABLE OF CONTENTS

I. Committee Jurisdiction and Activity.....	3
II. 2018 Budgetary Accomplishments.....	4-5
III. 2018 Legislative Accomplishments.....	6-8
IV. Committee Hearings & Roundtables	9
V. Outlook for 2019 Legislative Session.....	10

APPENDICES

Appendix A: Summary of Action on All Tourism Bills Referred to the Tourism Committee.....	11
Appendix B: Final Action on Bills Reported by the Tourism Committee.....	12-13
Appendix C: Bills Signed into Law Reported by the Tourism Committee.....	14
Appendix D: Bills Vetoed Reported by the Tourism Committee.....	15

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 and portions of the Economic Development Law, Executive Law, General Business Law, and Unconsolidated Law. Entities under the jurisdiction of the Committee include the Office of Parks, Recreation and Historic Preservation, Division of Tourism, the New York State Council on the Arts, the Olympic Regional Development Authority, and the State Athletic Commission.

Legislation before the Committee addresses issues facing the tourism industry such as the regulation of sporting events, ticket sellers and resellers, maintenance of the state park system and historic sites, aid for New York's arts community, regulation of waterways and highways for recreational use, and other important issues.

During the 2018 Legislative Session, 75 bills were considered by the Tourism Committee. Of these, 12 were favorably reported, 12 passed the Assembly, and 7 were signed into law.

II. 2018 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 “I Love NY” tourism campaign at the Empire State Development Corporation, the Office of Parks, Recreation and Historic Preservation, the New York State Council on the Arts, and the Olympic Regional Development Authority. These agencies and programs work together to promote tourism in the State, as well as provide world-class destinations for tourists to visit.

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 2018-2019 budget, NYSCA received \$4.4 million for operations, \$42.6 million for arts grants and received a \$10 million allocation for the Arts and Culture Facilities’ capital grant program.

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) 2018-19 budget, the “I Love NY” tourism marketing division received \$2.5 million for operations. The local Tourism Matching Grants program (funding for tourism promotion agencies) received \$4.9 million. The Market New York Program received \$10.3 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 East Hampton Tourism Initiative, \$200,000 for the Finger Lakes Tourism Alliance and \$100,000 for Lake Ontario and Thousand Island tourism promotion efforts.

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 2018-19 budget, OPRHP received \$225.8 million for operations, including \$10.7 million for the Historic Preservation program and \$170,000 for the Natural Heritage Trust. OPRHP also received \$200.7 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 parks and historic sites. OPRHP also received \$635,000 to support the maintenance and operations of snowmobile trails.

Lastly, the Zoos, Botanical Gardens and Aquariums Program (ZBGA) received \$15 million through an annual appropriation from the state Environmental Protection Fund to provide grants for the creation of educational, cultural and recreational programs to ZBGA's throughout the State.

Olympic Regional Development Authority (ORDA)

In the promotion of the Lake Placid Olympic Region, ORDA provides marketing in regards to the great winter sports activities as well as the four season recreational opportunities. In the SFY 2018-2019 budget, it received \$10.09 million for operational expenses and \$60 million for capital projects for maintenance and improvements of existing facilities. \$8.9 million of the capital funds will be allocated for maintenance of Olympic and ski facilities, while the other \$28 million will be used for upgrades to ski facilities, and \$29.4 million will be used for projects located at Whiteface Mountain, Gore Mountain, Mount Van Hoevenberg, and Belleayre Mountain ski resort.

III. 2018 LEGISLATIVE ACCOMPLISHMENTS

A.6868-A (Dickens)

Chapter 404 of the Laws of 2018

This legislation would create the People's History Project within the Office of Parks, Recreation and Historic Preservation (OPRHP) to foster the recognition of overlooked personages, sites, and events of historical significance. By adding commemorative markers on sites of historical significance explaining the event and the role of the individuals involved, this legislation would continue to highlight the contributions and impact this state has made on the landscape of America, while also increasing economic development in these areas.

A.8245-C (O'Donnell)

Chapter 110 of the Laws of 2018

This legislation reforms the New York ticket resale law in order to increase transparency and fairness for consumers of New York. Fair access to tickets and affordable ticket prices are issues consumers across the state face far too often. This law increases disclosures required to be provided for the sale of tickets not yet in possession of the brokers selling such tickets; requires ticket resellers to post their license on online ticket purchasing platforms; increases disclosures that must be provided so that consumers know they are purchasing tickets in the secondary market; increases disclosures of all fees and surcharges when purchasing tickets; allows certain professional sports organizations to offer nontransferable membership passes at discounted prices and prohibits the use of a name in a website or URL that is intended to confuse the public into believing that they are buying tickets from an artist or sports team.

A.8829 (Barrett)

Chapter 354 of the Laws of 2018

This legislation requires the installation of Lyme and tick-borne disease warning signs at state-managed parks. The purpose of this bill is to increase awareness of park users to the potential presence of ticks that may be carrying tick-borne diseases and hopefully decreasing the amount of tick-borne disease cases across the state.

A.8970-B (Jean-Pierre)

Passed Assembly

This legislation would require working marine carbon monoxide detectors to be carried on any working vessel that has an enclosed accommodation compartment. The purpose of this bill is to prevent injuries or death from carbon monoxide caused by boat engines that can build up in enclosed or semi-enclosed spaces and create poisoning hazards.

A.9560 (Nolan)

Passed Assembly

New York State History Month was created by the Legislature in 1977 to celebrate the State's unique culture and history. Recently, it has become clear that November is a problematic month for this celebration. Many historical organizations, including most State historic sites, are closed in November and therefore cannot take part in the celebrations. The legislation would change New York State History Month from November to October.

A.9806-A (Jean-Pierre)
Passed Assembly

This legislation would require all individuals age 10 or older to take a boating safety course in order to operate a mechanically-propelled vessel on all navigable waters of New York State. Current law only requires individuals born after May 1, 1996, to take boating safety courses (Chapter 361 of 2013). In addition, this legislation would require all approved internet boating safety courses to verify the identity of each individual using the internet course prior to awarding a boating safety certificate. Similar measures have been enacted in neighboring states of New Jersey and Connecticut.

A.9891 (Thiele)
Chapter 382 of the Laws of 2018

This legislation would recognize and promote the historical and cultural significance of the South Shore of Long Island which consist of East Hampton, Riverhead, Shelter Island, Southhampton and Southold by designating the Peconic Bay region as a heritage area in New York State. There are currently 19 designated Heritage Areas throughout the State.

A.10192-A (Glick)
Chapter 154 of the Laws of 2018

This legislation authorizes the Whitney Museum located in Manhattan to construct, maintain, repair and donate an art installation entitled “Day’s End” by David Hammons to the Hudson River Park Trust within the boundaries of Pier 52.

A.10361 (Jones)
Chapter 303 of the Laws of 2018

This legislation extends the exemption of individuals renting personal watercraft or Jet Skis and specialty prop-craft from the required five-house safety class for an additional two years.

IV. HEARINGS & ROUNDTABLES

New York's artistic and cultural sector has generated \$114.1 billion to the state economy and employs 462,000 people across the State. This ranks New York second among all states in arts and cultural value added to the economy and in arts and cultural employment. On a regional basis, the arts have a profound impact on the economy.

On September 26, 2018, the Committee in conjunction with the subcommittee on Museums and Cultural Institutions, held a joint hearing to further examine the arts and cultural sector and its important economic and social impact further throughout the State.

Testimony focused on the economic impact and the essential role this sector has on businesses, local communities and the State. The Committees heard testimony regarding numerous success stories, accomplishments and grassroots efforts, the importance of increased funding, specifically for general operating support, local assistance, the need for gap funding and the need for more organizational collaboration throughout the State.

In addition, witnesses provided examples on how the arts sector impacts various age groups, socio-economic classes, incarcerated individuals and the LGBTQ community. NYSCA currently has a grantee developing programming geared towards the health and vitality of New York State seniors. In addition, the agency supports justice-based organizations that have successfully implemented arts programming serving over 800 prisoners in five New York State prisons throughout the State, causing recidivism rates to plummet below 5%.

New York is home to many world-class artistic venues and cultural organizations that continue to need support in order to create employment, sustain jobs, and strengthen our State's economy.

V. OUTLOOK FOR 2019 LEGISLATIVE SESSION

The Committee looks forward to the 2019 legislative session. The tourism industry is one of the major employers in New York State and the arts continue to grow in popularity throughout the state. The Committee, in partnership with our colleagues, seeks to creatively and effectively utilize our assets to continue the expansion of these two important industries throughout the State.

Throughout the 2018 legislative session, one of the main issues that the Committee examined through various pieces of legislation is boating safety across the state. While some steps have already been taken, the Committee will continue to look into ways that boating safety can be improved so that the boating tourism industry can continue to expand and thrive in New York. In addition, the Committee will continue to advocate strongly for increased funding for the arts and tourism matching grants along with increasing funding for state parks.

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

2018 SUMMARY SHEET

SUMMARY OF ACTION ON ALL BILLS
REFERRED TO THE COMMITTEE ON

Tourism

TOTAL NUMBER OF COMMITTEE MEETINGS HELD 5

<u>ASSEMBLY</u>	<u>SENATE</u>	<u>TOTAL</u>
<u>BILLS</u>	<u>BILLS</u>	<u>BILLS</u>

BILLS REPORTED FAVORABLE TO:

Codes	2	0	2
Judiciary	0	0	0
Ways and Means	3	0	3
Rules	0	0	0
Floor	4	0	4
TOTAL	9	0	9

COMMITTEE ACTION

Held For Consideration	5	0	5
Defeated	0	0	0
Enacting Clause Stricken	2	0	2
REMAINING IN COMMITTEE	61	14	75

BILLS REFERENCE CHANGED TO:

Ways and Means

TOTAL	1	0	1
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APPENDIX B:

COMMITTEE ON TOURISM, PARKS, ARTS AND SPORTS DEVELOPMENT

2018 Bills Considered

Assembly Bill #	Senate Bill #	Last Action	Description
A.2835-A Englebright	S.3457-A Serrano	Veto Memo 275	Requires public hearings and reports thereon prior to the closure of any real property owned by the Office of Parks, Recreation and Historic Preservation.
A.3892-A Titone	S.1676-A Little	Veto Memo 307	This bill would require the Commissioner of Education to develop and implement a museum and cultural organization competitive education grant program for the purpose of establishing or improving educational services to public and nonpublic programs throughout the State.
A.6868-A Dickens	S.6246-A Comrie	Chapter 404 of the Laws of 2018	This bill would create the people's history project in order to recognize overlooked personages, sites, and events of historical significance.
A.8245-C O'Donnell	S.8501-B Murphy	Chapter 110 of the Laws of 2018	This legislation reforms the New York ticket resale law in order to increase transparency and fairness for consumers of New York purchasing tickets to places of entertainment.
A.8829 Barrett	S.7242 Serio	Chapter 354 of Laws of 2018	Requires the Office of Parks to install Lyme and tick-borne disease warning signs at state-managed parks.
A.8954 Lupardo	S.7334 Funke	Chapter 45 of the Laws of 2018	This bill amend Chapter 460 of the Laws of 2017 to develop a Senior Tourism Attraction Program in conjunction with the Commissioner of Economic Development and all relevant departments and agencies, tourism promotion agencies, and the director of the Office for the Aging and in consultation with applicable local government officials.
A.8970-B Jean-Pierre	S.5797-C Brooks	Passed Assembly	This bill would require that certain boats be equipped with functioning marine carbon monoxide detectors.
A.9560 Nolan	S.7385 Marcellino	Passed Assembly	This bill would change New York state history month from November to October.

Assembly Bill #	Senate Bill #	Last Action	Description
A.9806-A Jean-Pierre	S.9092 Boyle	Passed Assembly	This bill would require individuals to take a boating safety course in order to operate a mechanically-propelled vessel on the navigable waters.
A.9891 Thiele	S.7762 Lavalle	Chapter 382 of the Laws of 2018	This bill would designate the Peconic Bay region as a heritage area in New York State in order to reflect its natural, historical and cultural significance in New York State.
A.10192-A Glick	S.8044-A Hoylman	Chapter 154 of the Laws of 2018	Authorizes the Whitney Museum located in Manhattan to construct, maintain, repair and donate an art installation entitled "Day's End" by David Hammons to the Hudson River Park Trust within the boundaries of Pier 52.
A.10361 Jones	S.8179 Funke	Chapter 303 of the Laws of 2018	This bill extends the effectiveness of provisions relating to the operation of personal watercraft and specialty prop-craft.

APPENDIX C:

COMMITTEE ON TOURISM, PARKS, ARTS AND SPORTS DEVELOPMENT

2018 Bills Chaptered

Assembly Bill #	Senate Bill #	Chapter #	Description
A.6868-A Dickens	S.6246-A Comrie	Chapter 404 of the Laws of 2018	This legislation creates the people's history project in order to recognize overlooked personages, sites, and events of historical significance.
A.8245-C O'Donnell	S.8501-B Murphy	Chapter 110 of the Laws of 2018	This legislation reforms the New York ticket resale law in order to increase transparency and fairness for consumers of New York purchasing tickets to places of entertainment.
A.8829 Barrett	S.7242 Serino	Chapter 354 of the Laws of 2018	This legislation requires the OPRHP to install Lyme and tick-borne disease warning signs at state-managed parks.
A.8954 Lupardo	S.7334 Funke	Chapter 45 of the Laws of 2018	This bill amend Chapter 460 of the Laws of 2017 to develop a Senior Tourism Attraction program in conjunction with the Commissioner of Economic Development and all relevant departments and agencies, tourism promotion agencies, and the director of the Office for the Aging and in consultation with applicable local government officials.
A.9891 Thiele	S.7762 Lavalle	Chapter 382 of the Laws of 2018	This legislation designates the Peconic Bay region as a heritage area in New York State in order to reflect its natural, historical and cultural significance in New York State.
A.10192-A Glick	S.8044-A Hoylman	Chapter 154 of the Laws of 2018	This legislation permits the construction of an art installation, proposed to the Whitney Museum by David Hammons, within the boundaries of pier 52 in New York City.
A.10361 Jones	S.8179 Funke	Chapter 303 of the Laws of 2018	This legislation extends the effectiveness of provisions relating to the operation of personal watercraft and specialty prop-craft for an additional two years.

APPENDIX D:

COMMITTEE ON TOURISM, PARKS, ARTS AND SPORTS DEVELOPMENT

2018 Bills Veto

Assembly Bill #	Senate Bill #	Veto Memo #	Description
A.2835-A	A3457-A Serrano	Veto memo 3457	This bill would requires public hearings and reports thereon prior to the closure of any real property by ORPHP.
A.3892-A Titone	S.1676-A Little	Veto Memo 307	This bill would require the Commissioner of Education to develop and implement a museum and cultural organization competitive education grant program for the purpose of establishing or improving educational services to public and nonpublic programs throughout the State.