

2008 ANNUAL REPORT

NEW YORK STATE ASSEMBLY

COMMITTEE ON
TOURISM, ARTS AND SPORTS DEVELOPMENT



Sheldon Silver, Speaker

Steve Englebright, Chairman

December 15, 2008

The Honorable Sheldon Silver
Speaker of the Assembly
State Capitol, Room 349
Albany, NY 12248

Dear Speaker Silver:

Each year the Tourism Committee oversees roughly 120 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. All of these objectives serve not only to make New York attractive to tourists and residents, but they also strengthen our case when attracting new and relocating business, as well as maintaining our leadership in preservation of both the natural and historical assets of the State.

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

Among the many broad array of initiatives considered in 2008 was legislation that increased the duty of stewardship for the Office of Parks Recreation and Historic Preservation, named a State park after one of America's most celebrated slave poets, created a recycling program for State parks as well as city, town, and village parks, and increased the oversight and jurisdiction of the State Museum in archaeological explorations.

I am pleased to submit the annual report of the Tourism Committee for the 2008 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 2009 Legislative Session. Our outlook for 2009 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 the diligence in the 2008 session, and also thank you, Mr. Speaker, for your continued leadership.

Sincerely,



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

2008
ANNUAL REPORT
NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON TOURISM, ARTS AND SPORTS DEVELOPMENT

Steve Englebright
Chairman

Committee Members

Majority

Richard Brodsky
Sam Hoyt
John J. McEneny
Margaret M. Markey
Francine DelMonte
Michael N. Gianaris
Aileen M. Gunther
Daniel J. O'Donnell
Ginny Fields
Robert Reilly
Naomi Rivera
Dennis H. Gabryszak
Matthew Titone

Minority

Robert Walker
Teresa R. Sayward
Thomas F. O'Mara
Annie Rabbitt
Michael Cole

Staff

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

TABLE OF CONTENTS

	<u>Page</u>
I. COMMITTEE JURISDICTION AND ACTIVITY.....	1
II. 2008 LEGISLATIVE ACCOMPLISHMENTS.....	2
1. Promoting Tourism Within New York State.....	3
2. Protecting and Promoting History in New York State.....	4
3. New York State Canal Systems.....	6
4. Encouraging the Safe Development of Outdoor and Athletic Activities.....	7
5. New York's State and Municipal Parks.....	9
6. Enhancing Cultural Institutions.....	11
7. Protecting New York Consumers.....	13
III. HEARINGS/ROUNDTABLES.....	14
IV. OUTLOOK FOR 2009 LEGISLATIVE SESSION.....	15
 APPENDICES	
Appendix A: Summary of Action on All Tourism Bills Referred to the Tourism Committee.....	16
Appendix B: Final Action on Bills Reported by the Tourism Committee.....	17
Appendix C: List of Laws Enacted During the 2008 Legislative Session.....	21

I. COMMITTEE JURISDICTION AND ACTIVITY

The Assembly Standing Committee on Tourism, 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 Thruway Authority.

During the 2008 Legislative Session, 129 bills were considered by the Tourism Committee. Of these, 44 were favorably reported, 15 passed the Assembly, and eight were signed into law.

II. 2008 LEGISLATIVE ACCOMPLISHMENTS

1. PROMOTING TOURISM WITHIN NEW YORK STATE

Authorizing the Creation of an Agri-Tourism Program

A. 3562 (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. 4686 (Morelle)

Passed Assembly

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.

Placing the State Tourism Web Site on all State Vehicles

A. 6932 (Rivera N)

Passed Assembly

This legislation requires that the state tourism web site be posted on all non-emergency state vehicles, providing that it does not interfere with any necessary identification markings. The tens of thousands of vehicles used and maintained by New York State can be used to advertise and enhance the state’s tourism web site and create interest in New York State tourism.

2. PROTECTING AND PROMOTING HISTORY IN NEW YORK STATE

Local Government Historians

A. 973 (McEneny)

Passed Assembly

This legislation authorizes the appointment of community historians to serve on community district boards and the optional registration of county historians, which will help raise the standards of the position of historian and should result in more qualified individuals serving as historian. The importance of local history often goes unacknowledged in light of larger stories affecting the masses. This legislation focuses on preserving the smaller stories that often fall through the cracks of history, yet are just as relevant and pertinent to our present and future.

Appointing Community Historians

A. 1321 (McEneny)

Passed Assembly

This legislation would allow for the optional registration of community historians and local government historians. Community historians provide an essential role in collecting, preserving, and interpreting the historic resources of their communities that are essential to current and future generations.

Protecting Historic Districts and Landmarks from Demolition by Neglect

A. 1901 (Hoyt)

Passed Assembly

This legislation specifically prohibits the improper maintenance or lack of maintenance of any property in a designated historic district or any landmark that results in the substantial deterioration of such property and threatens its continued stability and preservation. Protecting our historical landmarks from improper maintenance or lack of maintenance is among the duties and responsibilities of the State.

Creating the People's History Project

A. 5165 (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.

Changing the Composition of the Board of Directors of the Executive Mansion Trust

A. 8593 (McEneny)

Passed Assembly

This legislation increases the number of voting board members of the Executive Mansion Trust from five to fifteen, eliminates as an ex officio board member the chair of the New York Historical Society, and provides for staggered terms of the board members. Since 1875 the Executive Mansion has served as the residence for New York's Governors and their families. In 1993, the Legislature created the Executive Mansion Trust, charged with helping to preserve and enhance the Mansion. These changes will create a more efficient Trust and capitalize on its full potential.

Representatives for Members of the National Heritage Trust

A. 9037 (Morelle)

Passed Assembly

This legislation allows members, other than the chairperson, to appoint a designee to attend meetings. This designation must be made officially in-writing to the chairperson. The National Heritage Trust is comprised of the Commissioners of the Office of Parks, Recreation and Historic Preservation and the Department of Environmental Conservation, the Secretary of State and the Chairperson of the State Council of Parks and Outdoor Recreation. It has been difficult to assemble the representatives due to scheduling conflicts. This change will allow the NHT greater flexibility to meet and accomplish its mandate.

Restoring our Capitol

A. 10020 (McEneny)

Chapter 92

Maintaining the authenticity of the original design of the Capitol is a responsibility we share to New York State's history. This project requires continual oversight to ensure that the ongoing restoration retains the integrity of the original design for this architectural work of art. This legislation extends the State Commission on Restoration of the Capital for an additional five years.

Installation of Sprinkler Systems in Historic Buildings

A. 10178 (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.

Establishing the Niagara Falls Underground Railroad Heritage Commission

A. 10208-d (DelMonte)

Chapter 372

In order to better educate and recognize New York's participation in the abolitionist movement, this legislation creates a commission on Niagara Falls Underground Railroad Heritage. The commission's purpose is to facilitate the creation of an Underground Railroad Heritage Area in the City of Niagara Falls and provide for its maintenance.

Expanded Protection for State-Owned Archaeological and Historical sites

A. 11398 (McEneny)

Chapter 593

Protecting our State historical sites is one of our responsibilities to both past and future generations of New Yorkers. Unfortunately, the proper methods for documenting and collecting artifacts is a laborious and often slow-moving one, and when items are stolen or hastily removed important historical information is lost forever. In order to protect against the pilfering of historical objects, and add cultural and social importance to historical sites on State lands, this legislation includes among the items protected from removal any object of archaeological, historical, cultural, social, scientific or paleontological interest. This legislation also provides that in the case of a violation the Attorney General shall seek civil and/or criminal prosecution including seizure and forfeiture of the appropriate items.

3. NEW YORK STATE CANAL SYSTEMS

Public Notice of Land Abandonment by the State Canal Corporation

A. 963 (Destito)

Passed Assembly

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.

Technical Corrections to Laws Regarding the Erie Canal

A. 9442 (Hoyt)

Chapter 180

This legislation clarifies the conditions of the Erie Canal system and prevents certain expenditures related to system realignments per Chapter 584. This bill will save the canal system money and clarify the status of the terminus points and waterways of the Erie Canal.

4. ENCOURAGING THE SAFE DEVELOPMENT OF OUTDOOR AND ATHLETIC ACTIVITIES

Enhancing Boating Safety

A. 415-B (Fields)

Referred to Ways and Means

This legislation requires the completion of a boating safety course for any operator of a mechanically propelled watercraft or specialty prop-craft to ensure that all boaters know and understand the proper boating laws. When inexperienced boaters do not understand or obey navigation laws they put themselves and others in danger. While the vast majority of boat operators are educated and obedient of navigation practices, there are many who do not realize the potential for damage that can be caused with the slightest mistake while boating in a heavily boated waterway and being unaware of the correct procedures.

Requiring the Presence of the Chairman of the State Athletic Commission

A. 758 (Wright)

Passed Assembly

This legislation requires the presence of the designated chairman of the State Athletic Commission in order to constitute a quorum. Existing law states that the presence of any two of the three members of the State Athletic Commission constitutes a quorum. This legislation ensures that no action may be taken without the knowledge and consent of the chairman, who is also the only full time member of the commission.

Eliminating Price Controls on Health Club Contracts

A. 2464-A (Morelle)

Referred to Codes

When regulation of health club contract pricing was originally introduced there may have been more concern over monopoly. However, in the 25 years that have passed since, health clubs have flourished and many competing entities have entered the market. The offerings of health clubs have also expanded. For some high-end health clubs the limitation of a contract charge of \$3,600 per year does not cover the services they provide. By lifting this regulation health clubs of New York can expand their offerings to the consumer.

Solidifying Local Laws Concerning Health Clubs and Defibrillators

A. 4685 (Weisenberg)

Referred to Codes

Currently, State law requires that any health club with 500 or more members must maintain at least one Automatic External Defibrillator (AED) and have a person on the premises qualified to administer CPR and operate the AED. This legislation ensures that any additional local laws concerning AEDs are maintained within their jurisdiction. The State law concerning AEDs is meant to protect citizens and consumers. Where it is the case that a local law may

impose stricter guidelines for their use, it is not outside of the legislative intent of the State law, and therefore may be upheld.

Requiring the Wearing of Personal Floatation Devices

A. 8928 (Aubertine)

Referred 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.

New York State Amateur Sports Development Advisory Council

A. 9144 (Englebright)

Referred to Ways and Means

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.

Snowmobile Trail Development and Maintenance Fund

A. 11009 (Destito)

Referred to Ways and Means

This legislation authorizes and directs the Comptroller to transfer \$1 million into the snowmobile trail development and maintenance fund. This is money that was paid for snowmobile registrations and to be used for trail maintenance but was taken by the Division of Budget and used for other purposes.

Enhancing the Safety of Pleasure Vessels

A. 11408 (Rules (Fields))

Passed Assembly

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.

5. NEW YORK'S STATE AND MUNICIPAL PARKS

Honoring Jupiter Hammon

A. 10137 (Conte)

Chapter 583

In the spirit of honoring one of the first published black writers in America, Jupiter Hammon, this legislation directs the Commissioner of the Office of Parks, Recreation, and Historic Preservation to re-designate Cold Spring Harbor State Park in Suffolk and Nassau counties as Jupiter Hammon State Park.

Expanding the Mission of the Office of Parks, Recreation, and Historic Preservation

A. 10943 (Englebright)

Passed Assembly

This legislation adds to the mission of the Office of Parks, Recreation, and Historic Preservation the preservation and protection of bio-diversity, as well as stewardship. Considered among the responsibilities as stewards of New York State's natural resources, the Office of Parks, Recreation, and Historic preservation must maintain the bio-diversity of these spaces.

Adopt-a-Park Program

A. 1746 (Schimminger)

Referred to Codes

This legislation creates an "adopt-a-park" program that will allow volunteers to cooperate in projects to maintain and beautify parks such as vandalism remediation, litter removal, developing and maintaining nature trails, planting and maintaining flower beds, and otherwise improving the park. This legislation is based on the "adopt-a-highway" program that was passed in 1985 and has been very successful in using volunteer services to beautify New York highways.

New York City Parks, Trees, and Urban Forestry Fund

A. 2164-A (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. 2605 (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.

Regional Conservation Partnership Trust

A. 7192 (Englebright)

Referred to Ways and Means

This legislation allows community foundations to apply and be certified as regional conservation partnership trust boards. Each board will be a charitable subsidiary of a community organized to support management and stewardship activities of a not-for-profit conservation organization. The State has many unique, specialty dedicated areas that support education, recreation and conservation. These areas require management and stewardship, and this legislation will provide a framework for the distribution of State funds to support these regionalized efforts.

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

A. 10390 (Englebright)

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.

6. ENHANCING CULTURAL INSTITUTIONS

Arts and Artifacts Domestic Indemnity Act

A. 2491-A (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.

Securing Museum Collections

A. 9401 (Gunther)

Chapter 40

This legislation is a chapter amendment to Chapter 510 of the Laws of 2007 in accordance with suggestions made by Governor Spitzer. This legislation authorizes a museum containing knives that are unlawful to possess to submit a security plan to the police department having jurisdiction over such museum.

Permitting the City Center of Music and Drama to Rename the New York State Theatre Building

A. 10105 (Rosenthal)

Chapter 48

Built as a part of the 1964/1965 World's Fair, the New York State Theatre, which is home to the New York City Opera and the New York City Ballet, is in need of major rehabilitation. These kinds of repairs will require a considerable amount of funding. This legislation permits the renaming of the building and thereby allows the board of directors to seek out sponsors and raise critical funding.

Expanding the New York State Council on the Arts

A. 10969 (Englebright)

Chapter 205

Established in 1965, the Council on the Arts was created to stimulate and encourage the performing and fine arts, expand the State's cultural resources and promote public interest in, and access to, the artistic and cultural heritage of the State. Under its original enabling legislation, the Council was comprised of 15 members, but the number of members was increased to 20 members in 1974. As a result, the Council has an even number of members, which is inconsistent with sound governance practices. This legislation increases the number of board members of the New York State Council on the Arts to 21, creating a voting majority. It also creates an additional vice chair position.

Establishing a Pilot Program for Arts-Based Districts

A. 8222 (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.

7. PROTECTING NEW YORK CONSUMERS

Protecting Consumers from Sham Bids

A. 2442-A (Brodsky)

Passed Assembly

This legislation prohibits soliciting, accepting or appearing to solicit or accept sham bids unless the auction house on whose behalf an auctioneer is acting requires that such bids be identified with the phrase "for the consignor."

III. HEARINGS/ROUNDTABLES

Throughout the 2008 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.

A. Mixed Martial Arts Roundtable

On November 12, 2008, the Assembly Standing Committee on Tourism, Arts and Sports Development held a leadership roundtable to discuss the issue of allowing Mixed Martial Arts to come to New York. This roundtable examined issues such as economic development, tourism, safety of participants, and other issues surrounding the sport.

B. Parks Capital Hearing

On November 19, 2008, in conjunction with the Assembly Standing Committee on Ways and Means, the Assembly Standing Committee on Oversight, Analysis and Investigation and the Assembly Standing Committee on Environmental Conservation, the Assembly Standing Committee on Tourism, Arts and Sports Development held a hearing to examine the effects of a 2008-2009 State Budget appropriation of \$95 million in capital dollars to be used by four agencies. The majority, \$75.5 million, went directly to the Office of Parks, Recreation, and Historic Preservation. Facing a backlog of maintenance and health and safety problems at their facilities, the Office of Parks, Recreation, and Historic Preservation undertook a comprehensive inventory of all eleven state park regions and has put together a multi-year master plan of repair and enhancement.

C. Post Production Tax Credit

On December 9, 2009, the Assembly Standing Committee on Tourism, Arts and Sports Development held a leadership roundtable to discuss the issue of enacting a Post Production Tax Credit that would put more New Yorkers to work and grow this industry. The Empire State Tax Film Credit has been a fantastic success for the people of the State of New York, bringing productions that bring jobs and attention to our state and to the movie and film industry as a whole. Now, New York must be ready to take the next step.

D. Arts and Economic Growth

On December 9, 2008, the Assembly Standing Committee on Tourism, Arts and Sports Development held a leadership roundtable to examine the arts and their important place in the economy, their social impact, and creative spirit of the State of New York. As well as being a quality of life issue, the arts drive the economic and social re-birth of smaller towns, neighborhoods, and regions. At this roundtable, we examined the issues surrounding building a successful arts economy and explored ways to make the State of New York more welcoming to artists and developed a plan of action for outreach with a focus on smart growth.

IV. OUTLOOK FOR 2009 LEGISLATIVE SESSION

The financial crisis that plagues the State and national economies will undoubtedly result in an austere budget in the 2009-2010 State fiscal year. Falling tax revenue, loss of industry and jobs all have the potential to divert funding from tourism – I ♥ NY, the arts, and State parks. The Committee will 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 2009 legislative session will offer more opportunities and bring into sharper focus the need for the Committee to work and partner with the Senate Committee on Tourism, and to take an active part in several inter-agency collaborations that started in 2008 to assist the State to maximize tourism and arts resources and communication.

The Quadricentennial year of 2009 also brings a singular chance for the Committee to work with State and local government to highlight the Hudson Champlain Fulton celebration from New York City to the Canadian border and showcase our fantastic re-invigorated Erie Canal to the world.

The overwhelming success of the Film Production Tax Credit has led to a number of potential runaway productions deciding to film in New York. By the beginning of 2009, we estimate that the entirety of the available credit will be maximized, bringing in millions in additional spending, and substantial tax revenue 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.

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.

We continue to be excited about the opportunities facing the Committee in the upcoming session, and look forward to working together in efforts to ensure that the needs of our broad constituency are adequately addressed -- we 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	21	0	21
TO CODES	10	0	10
TO RULES	2	0	2
TO JUDICIARY	0	0	0
TOTAL	44	0	44
BILLS HAVING COMMITTEE REFERENCE CHANGED			
TO _____ COMMITTEE	0	0	0
TO _____ COMMITTEE	0	0	0
TO _____ COMMITTEE	0	0	0
TO _____ COMMITTEE	0	0	0
TOTAL	0	0	0
SENATE BILLS SUBSTITUTED OR RECALLED			
SUBSTITUTED		1	1
RECALLED		2	2
TOTAL		3	3
BILLS DEFEATED IN COMMITTEE	0	0	0
BILLS NEVER REPORTED, HELD IN COMMITTEE	12	0	12
BILLS NEVER REPORTED, DIED IN COMMITTEE	64	5	69
BILLS HAVING ENACTING CLAUSES STRICKEN	1	0	1
MOTIONS TO DISCHARGE LOST	0	0	0
TOTAL BILLS IN COMMITTEE	121	8	129
TOTAL NUMBER OF COMMITTEE MEETINGS HELD	11		

**APPENDIX B:
Final Action on Bills Reported by the Committee on Tourism, Arts and Sports Development**

FINAL ACTION ON BILLS REPORTED BY THE TOURISM COMMITTEE			
ASSEMBLY BILL # SPONSOR	SENATE BILL # SPONSOR	FINAL ACTION	DESCRIPTION
A.415B Fields	None	Referred to Ways and Means	Requires a boating safety certificate to operate a mechanically propelled watercraft
A.758 Wright	S.4276 Huntley	Passed Assembly	Requires the presence of the designated chairman of the State Athletic Commission in order to constitute a quorum
A.963 Destito	None	Passed Assembly	Requires the State Canal Corporation to locally publish notice of land abandonment
A.1321 McEneny	S.2303 Maziarz	Passed Assembly	Makes provisions regarding registration of local government historians
A.973 McEneny	S.1989 Maziarz	Passed Assembly	Makes various provisions regarding local government historians
A.1746 Schimminger	S.874 Winner	Referred to Codes	Establishes the Adopt-a-Park program
A.1901 Hoyt	S.519	Passed Assembly	Protects historic districts and landmarks from demolition by neglect
A.2164A Glick	None	Passed Assembly	Creates New York City Parks, Trees, and Urban Forestry Fund
A.2442A Brodsky	S.6175A Flanagan	Passed Assembly	Specifies auction requirements
A.2464A Morelle	S.5096 Larkin	Referred to Codes	Eliminates price controls on health club contracts: annual and limited duration tennis
A.2491A Morelle	None	Passed Assembly	Establishes the Arts and Artifacts Domestic Indemnity Act
A.2605 Englebright	None	Referred to Ways and Means	Establishes the Stony Brook Harbor State Park as part of the state park preserve system
A.3562 Cook	S.8129 Serrano	Passed Assembly	Authorizes the development of a program to distribute statewide and regional guides to agri-tourism

FINAL ACTION ON BILLS REPORTED BY THE TOURISM COMMITTEE

ASSEMBLY BILL # SPONSOR	SENATE BILL # SPONSOR	FINAL ACTION	DESCRIPTION
A.4685 Weisenberg	S.3259 Fuschillo	Referred to Codes	Establishes that local laws related to certain health clubs and automated external defibrillators shall not be pre-empted
A.4686 Morelle	S.8140 Serrano	Passed Assembly	Makes the phrase "I ♥ NY" the official state slogan
A.5165 Wright	None	Referred to Ways and Means	Creates the people's history project within the Office of Parks, Recreation and Historic Preservation
A.6932 Rivera N	None	Passed Assembly	Requires the New York state tourism website to be displayed on all state vehicles
A.6933 Rivera N	None	Passed Assembly	Requires the New York state tourism website to be displayed on all state advertisements
A.7192 Englebright	None	Referred to Ways and Means	Provides for establishment of a regional conservation partnership trusts
A.8222 Hoyt	None	Referred to Ways and Means	Provides an optional pilot program to establish arts-based districts in the cities of Buffalo, Rochester, Syracuse and Troy
A.8593 McEneny	S.5725 Johnson O	Passed Assembly	Changes the composition of the board of directors of the Executive Mansion Trust
A.8928 Aubertine	S.3951 Rath	Referred to Codes	Requires the wearing of personal flotation devices between November 1 st and May 1 st
A.9037 Morelle	S.6227 Johnson O	Passed Assembly	Authorizes members of the board of the Natural Heritage Trust to designate a representative
A.9144 Englebright	S.6197 Rath	Referred to Ways and Means	Provides that the use of eminent domain to take private property for the use of a private developer requires the unanimous vote of the local government board.
A.9317-B DelMonte	S.2324-B Rath	tabled	Creates a task force to create a comprehensive system of multi-use trails in New York State.

FINAL ACTION ON BILLS REPORTED BY THE TOURISM COMMITTEE

ASSEMBLY BILL # SPONSOR	SENATE BILL # SPONSOR	FINAL ACTION	DESCRIPTION
A.9401 Gunther	S.6458 Larkin	Chapter 40	Authorizes a museum containing knives that are unlawful to possess to submit a security plan to the police department having jurisdiction over such museum.
A.9442 Hoyt	S.6505 Breslin	Chapter 180	Makes technical corrections to laws regarding the Erie Canal.
A.9870A Ramos	S.6728A Johnson O	Veto Memo 73	Would transfer title of some of the Pilgrim State Hospital lands to the Office of Parks, Recreation, and Historic Preservation.
A.9952A Paulin	S.7034A Robach	Veto Memo 47	Relates to establishing the Women's Rights History Trail.
A.10020 McEneny	S.7136 Johnson O	Chapter 92	Extends the State Commission on Restoration of the Capitol for an additional five years.
A.10105 Rosenthal	S.6957 Golden	Chapter 48	Permits the City Center of Music and Drama, Inc. to rename the New York State Theatre building.
A.10123A Destito	S.6835B Seward	Veto Memo 118	Establishes a blue ribbon commission on competition in the outdoor recreation industry.
A.10137 Conte	S.8579 Marcellino	Chapter 583	Directs the commissioner of Parks, Recreation and Historic Preservation to rename Cold Spring Harbor State Park as Jupiter Hammon State Park.
A.10178 Englebright	None	Referred to Ways and Means	Provides for loans to be made for the installation of sprinkler systems in historic buildings.
A.10208D DelMonte	S.8101B Thompson	Chapter 372	Establishes the Niagara Falls Underground Railroad Heritage Commission.
A.10390 Englebright	S.7505 Alessi	Referred to Ways and Means	Requires the Office of Parks, Recreation, and Historic Preservation to establish a recycling program and policy.
A.10562A DelMonte	S.7558A Rath	Veto Memo 124	Establishes the Community Green Trails Initiative: a comprehensive statewide list of trails through a Department of Parks website.

FINAL ACTION ON BILLS REPORTED BY THE TOURISM COMMITTEE

ASSEMBLY BILL # SPONSOR	SENATE BILL # SPONSOR	FINAL ACTION	DESCRIPTION
A.10753 Gunther	S.7223 Bonacic	Veto Memo 79	Creates an index of statewide historic markers available at the state museum and online.
A.10943 Englebright	S.7394 Rath	Passed Assembly	Adds to the mission of the Office of Parks, Recreation, and Historic Preservation the preservation and protection of bio-diversity, as well as stewardship.
A.10969 Englebright	S.7522 Maltese	Chapter 205	Increases the number of board members of the New York State Council on the Arts to 21, creating an additional vice chair position.
A.11009 Destito	S.8144 Griffo	Referred to Ways and Means	Relates to the monies of the Snowmobile Trail Development and Maintenance Fund.
A.11288 Millman	S.8560 Johnson O	Tabled	Creates an Empire State Baseball Trails program.
A.11398 McEneny	S.7760 Farley	Chapter 593	Expands protection afforded to State-owned archaeological and historical sites.
A.11408 Rules (Fields)	S.3951 Rath	Passed Assembly	Requires the wearing of personal floatation devices on pleasure vessels under 21 feet between November and May.
A.11489A Rules (Rosenthal)	S.8281A Maltese	Passed Assembly	Relates to the board of trustees of the trust for cultural resources in the city of New York and ex-officio standing.

**APPENDIX C:
List of Laws Enacted During the 2008 Legislative Session**

BILLS THAT BECAME LAW DURING THE 2008 LEGISLATIVE SESSION			
ASSEMBLY BILL # SPONSOR	SENATE BILL # SPONSOR	FINAL ACTION	DESCRIPTION
A.9401 Gunther	S.6458 Larkin	Chapter 40	Authorizes a museum containing knives that are unlawful to possess to submit a security plan to the police department having jurisdiction over such museum.
A.9442 Hoyt	S.6505 Breslin	Chapter 180	Makes technical corrections to laws regarding the Erie Canal.
A.10020 McEneny	S.7136 Johnson O	Chapter 92	Extends the State Commission on Restoration of the Capitol for an additional five years.
A.10105 Rosenthal	S.6957 Golden	Chapter 48	Permits the City Center of Music and Drama, Inc. to rename the New York State Theatre building.
A.10137 Conte	S.8579 Marcellino	Chapter 583	Directs the commissioner of Parks, Recreation and Historic Preservation to rename Cold Spring Harbor State Park as Jupiter Hammon State Park.
A.10208D DelMonte	S.8101B Thompson	Chapter 372	Establishes the Niagara Falls Underground Railroad Heritage Commission.
A.10969 Englebright	S.7522 Maltese	Chapter 205	Increases the number of board members of the New York State Council on the Arts to 21, creating an additional vice chair position.
A.11398 McEneny	S.7760 Farley	Chapter 593	Expands protection afforded to State-owned archaeological and historical sites.