

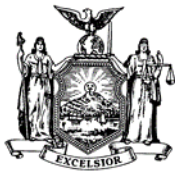
NEW YORK STATE ASSEMBLY

Carl E. Heastie, Speaker
Daniel J. O'Donnell, Chair



2023 ANNUAL REPORT

COMMITTEE ON
Tourism, Parks, Arts and
Sports Development



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, 2023

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

Dear Speaker Heastie,

As Chair of the Assembly Standing Committee on Tourism, Parks, Arts and Sports Development, I am pleased to submit to you the Committee's 2023 Annual Report. The following report is a summary of significant actions taken during the 2023 Legislative Session which demonstrates the Committee's ongoing commitment to advancing legislation that strengthens and supports tourism, state parks, historic sites, and arts organizations in New York State.

In the 2023 legislative session, our Committee acted on a number of substantive bills. Some important issues the Committee took on was legislation that prohibits littering on state park lands, and legislation to rename Robert Moses State Park and Donald J. Trump State Park.

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 contribution 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.

On behalf of the members of the Committee, I would like to thank you for your unwavering support during the 2023 Legislative Session. Under your leadership, Mr. Speaker, this Committee looks forward to meeting the challenges of the upcoming 2024 Legislative Session and we promise to continue to support these very important industries in our State.

Sincerely,

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

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

**2023 ANNUAL REPORT
OF THE
NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON TOURISM, PARKS, ARTS AND SPORTS
DEVELOPMENT**

Daniel J. O'Donnell, *Chair*

· MEMBERS ·

Majority

Didi Barrett
Patrick Burke
Robert C. Carroll
William Conrad
Charles D. Fall
Edward Gibbs
Billy Jones
Jonathan Rivera
MaryJane Shimsky
Sarahana Shrestha
Gina L. Sillitti
Carrie Woerner
John Zaccaro, Jr.
Stefani Zinerman

Minority

Joe Angelino
Jeff Gallahan
Scott Gray
Angelo J. Morinello
Matthew Simpson
Chris Tague

· COMMITTEE STAFF ·

Aubree Heydrick, *Assistant Secretary for Program and Policy*
Jennifer Ashley, *Associate Counsel*
Cheryl Myers, *Committee Clerk*
Sierra Stevenson, *Program and Counsel Secretary*

TABLE OF CONTENTS

I. INTRODUCTION 1

II. 2023 LEGISLATIVE ACTION..... 2

 1. White Elephant Housing 2

 2. Resident Curator Program..... 2

 3. Renaming of the Robert Moses State Park 2

 4. Nominations for the Historic Business Preservation Registry 2

 5. Littering and Dumping on State Park Lands..... 2

 6. Re-Designation of the Donald J. Trump State Park 2

 7. Equipment on Certain Vessels 3

III. STATE FISCAL YEAR 2023-24 ENACTED BUDGET 4

 1. New York State Council on the Arts 4

 a. Operating Grants 4

 b. Arts Grants 4

 c. Stabilization Grants..... 4

 d. New York City Musical and Theatrical Production Tax Credit..... 5

 2. Office of Parks, Recreation and Historical Preservation 5

 a. Zoos, Botanical Gardens, and Aquaria Capital Projects 5

 b. Snowmobile Registration Fees..... 5

 3. Empire State Development 5

 a. Empire State Film Production Credit and the Empire State Film Post-Production Credit 5

IV. OUTLOOK FOR 2024 LEGISLATIVE SESSION..... 7

 APPENDIX A 2023 SUMMARY SHEET 8

 APPENDIX B CHAPTER LAWS OF 2023..... 9

I. INTRODUCTION

Each legislative session, the Assembly Standing Committee on Tourism, Parks, Arts and Sports Development (“the Committee”) is entrusted to examine legislation that affects tourism, state parks, historic sites, and arts organizations in the State of New York. The purview of the Committee 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 that are 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, maintenance of the state park system and historic sites, aid for New York’s arts community, assistance to cultural institutions, and other important issues.

During the 2023 Legislative Session, the Committee held 3 committee meetings. 77 bills were referred to the Committee. As of the date of this report, 7 bills were reported from the Committee, 3 passed the Assembly, 3 were chaptered, 3 were signed into law, and 0 were vetoed.

II. 2023 LEGISLATIVE ACTION

1. White Elephant Housing

A.2889 (Woerner) / S.4174 (Kennedy) – Reported to Ways and Means Committee

This bill would extend the New York State Historic Rehabilitation Tax credit to large “white elephant” projects and would create the “white elephant” housing historic rehabilitation projects tax credit program for large rehabilitation projects that also qualify for a low-income housing project tax credit under Article 2-A of the New York State Public Housing Law.

2. Resident Curator Program

A.4285 (O’Donnell) / S.722 (Serrano) – Reported to Rules Committee

This bill would authorize the Office of Parks, Recreation and Historic Preservation to lease vacant and at-risk structures in New York State parks and historic sites to private persons to encourage investment of private resources to rehabilitate and maintain such structures, thereby addressing the deterioration of residential buildings for which the agency has no public use and lacks state funding or staff resources to maintain.

3. Renaming of the Robert Moses State Park

A.4650 (O’Donnell) – Reported to Ways and Means Committee

This bill would authorize the Commissioner of Parks, Recreation and Historic Preservation to create a temporary state commission to rename the Robert Moses State Park in Long Island. The commission would have the opportunity to choose a new name that reflects the history of Long Island.

4. Nominations for the Historic Business Preservation Registry

A.4822 (Woerner) / S.5345 (Hinchey) – Chapter 146 of the Laws of 2023

This law increases the number of historic businesses that may be nominated by an Assembly Member, Senator, the Governor, or the Lieutenant Governor in a given term from two to ten.

5. Littering and Dumping on State Park Lands

A.5022-A (O’Donnell) / S.809-A (Serrano) – Chapter 640 of the Laws of 2023

This law amends the Parks, Recreation and Historic Preservation Law to prohibit littering and dumping on state park lands. This bill would also increase the fines associated with violating such law.

6. Re-Designation of the Donald J. Trump State Park

A.5127 (Levenberg) / S.3166 (Hoylman-Sigal) – Reported to Rules Committee

This bill would require the Commissioner of Parks, Recreation, and Historic Preservation to conduct a legal review of the re-designation of the Donald J. Trump State Park, located in Putnam and Westchester counties, to determine if the legal authority exists to change the name of the park. The findings of this review would be submitted to the Governor, the Temporary President of the Senate, and the Speaker of the Assembly within one year of the effective date.

7. Equipment on Certain Vessels

A.5948 (Shimsky) / S.6124 (Scarcella-Spanton) – Chapter 511 of the Laws of 2023

This law amends the Navigation Law to require every vessel, rowboat, canoe and kayak to be provided with a whistle. This law also changes the requirements for the fire extinguishers that must be carried on motor boats, including information on when the extinguisher is considered expired. The purpose of this law is to align state law with federal standards regarding safety equipment on recreational vessels, including the use of whistles and fire extinguishers, to promote boating safety.

III. STATE FISCAL YEAR 2023-24 ENACTED BUDGET

Each year during budget negotiations, the Assembly Standing Committee on Tourism, Parks, Arts and Sports Development strongly advocates for proposals that would support arts and tourism organizations along with state parks and historic sites. The Committee also works closely with the Assembly Standing Committee on Ways and Means to secure funding for various programs and initiatives to improve these industries in New York State.

This year, the State Fiscal Year (SFY) 2023-24 Enacted Budget included increased funding for the Council on the Arts and the Office of Parks, Recreation and Historical Preservation.

1. New York State Council on the Arts

The Enacted Budget for the Council on the Arts included three different funding increases:

a. Operating Grants

The Enacted Budget provided \$40 million in additional support for New York State Council on the Arts (NYSCA) operating grants.

b. Arts Grants

The Enacted Budget provided an additional \$8 million in arts grants to be distributed through Regional Arts and Cultural Councils, including:

- \$1 million for ArtsWestchester
- \$1 million for the Arts Services Initiative of Western New York
- \$1 million for Arts Mid-Hudson
- \$1 million for the Huntington Arts Council
- \$1 million for the Arts Center of the Capital Region
- \$1 million for Genesee Valley
- \$1 million for the Arts Center of CNY Arts
- \$500,000 for the Auburn Public Theater
- \$500,000 for the Earlville Opera House

c. Stabilization Grants

The Enacted Budget restored \$1 million in support for stabilization grants for small and mid-sized arts organizations.

d. New York City Musical and Theatrical Production Tax Credit

Legislation included in the Enacted Budget enhanced the New York City Musical and Theatrical Tax Credit as follows:

- Make various changes to the New York City Musical and Theatrical Production Tax Credit, including extending the \$3 million per production cap to productions that have their first performance prior to January 1, 2025, extension of the initial application deadline to June 30, 2025, increase of the overall cap from \$200 million to \$300 million, providing a technical correction to ensure that successful production companies are required to make contributions to the New York State Council on the Arts Cultural Programs until December 31, 2027, and to allow certain Off-Broadway productions with budgets of least \$750,000 to be eligible for a credit up to \$350,000.

2. Office of Parks, Recreation and Historical Preservation

a. Zoos, Botanical Gardens, and Aquaria Capital Projects

The Enacted Budget provided \$10 million for zoos, botanical gardens, and aquaria for capital projects.

b. Snowmobile Registration Fees

Legislation to increase snowmobile registration fees for both residents and nonresidents was included in the Enacted Budget. These are annual fees which must be submitted to the Office of Parks, Recreation, and Historic Preservation. These fees are used for development and maintenance of the trail.

3. Empire State Development

a. Empire State Film Production Credit and the Empire State Film Post-Production Credit

Legislation included in the Enacted Budget extended and enhanced the Film Tax Credit as follows:

- Accept the extension of the Empire State film production and post-Production credits for five years, through 2034;
- Accept the increase in the annual aggregate cap from \$420 million to \$700 million, beginning in tax year 2024;
- Accept the increase in the annual post-production credit amount from \$2 million to \$45 million, beginning in tax year 2024;

- Accept the increase in the credit for qualified expenses from 25 percent to 30 percent;
- Accept the inclusion of “Above the Line” salaries of writers, directors, and other such professionals in the calculation of the credit;
- Include language that provides for “Above the Line” expenses within the enhanced 10 percent portion of the Upstate credit computation;
- Include language to allow non-wage production costs within the enhanced portion of the Upstate credit computation, for certain productions with a minimum budget of \$500k and shot principally Upstate;
- Amend language to remove the current \$5 million annual aggregate cap for the Enhanced Upstate portion; and
- Include language to allow qualified relocation costs to be included in the calculation of the credit, to the extent such costs do not exceed \$6 million
- Include language to allow for a certain re-branded variety show to be eligible for the credit.

IV. OUTLOOK FOR 2024 LEGISLATIVE SESSION

The Committee looks forward to the 2024 legislative session. As one of the major employers, New York state's tourism industry increases economic activity and job growth within the state as well as drives the demand for services and products. Interest in the arts continue to grow in popularity throughout the state. The Committee, in partnership with our colleagues, will continue to find ways to utilize our assets creatively and effectively to expand these two important industries throughout our State.

The Committee will continue to advocate strongly for increased funding for the arts and tourism organizations along with increased funding for state parks and historic sites. In addition, increasing accessibility to all the State's natural land cultural resources remains a top priority for the Committee.

APPENDIX A

2023 SUMMARY SHEET

**Summary of Action on All Bills Referred to the
New York State Assembly Standing Committee on Tourism, Parks, Arts and Sports
Development**

Total Number of Committee Meetings Held: 3

	Bills
Bills Reported Favorable To:	
Codes	0
Judiciary	0
Ways and Means	3
Rules	1
Floor	3
TOTAL	6
Committee Action	
Held for Consideration	3
Defeated	0
Enacting Clause Stricken	1
Remaining in Committee	71
Bills Reference Changed To:	
Government Operations	0
Local Governments	0
Ways and Means	0
TOTAL	0

APPENDIX B

CHAPTER LAWS OF 2023

CHAPTER NUMBER	ASSEMBLY BILL (SPONSOR)	SENATE BILL (SPONSOR)	DESCRIPTION
146	A.4822 (Woerner)	S.5345 (Hinchey)	Increases the available number of nominations for the historic business preservation registry per year.
511	A. 5948 (Shimsky)	S.6124 (Scarcella-Spanton)	Relates to equipment to be carried on certain vessels.
640	A. 5022-A (O'Donnell)	S.809-A (Serrano)	Prohibits littering and dumping on state park lands.