

2016 Legislative

*Roundtable Reception*

LONG ISLAND

*Friday, September 23, 2016*

8:30 - 10:00 a.m.

*Melville Marriott Long Island*

co-sponsored by:

Long Island Hospitality  
& Leisure Association



New York State  
HOSPITALITY  
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## Long Island Legislative Roundtable

Friday, September 23, 2016

*Melville Marriott Long Island*

1350 Walt Whitman Rd, Melville, NY

8:30 - 10:00 a.m.

### Program

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**8:30 a.m.**

Registration & Breakfast Buffet

**9:15 - 10:00 a.m.**

**Welcome:**

**Introduction of State & Local Leaders**

**Presentation of State Issues**

Mark Dorr, *President, NYS Hospitality & Tourism Association*

**Presentation of Local Issues**

Kristen Jarnagin, *President & CEO, Long Island Convention & Visitors Bureau and Sports Commission*

Ken Walles, *President, Long Island Hospitality & Leisure Association*

Roundtable Discussion with State and Local Elected Officials

### Sponsors

Long Island Hospitality  
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## New York State Hospitality & Tourism Association

The New York State Hospitality & Tourism Association (NYSH&TA) is a not-for-profit trade organization representing nearly 1,000 lodging properties, totaling over 122,000 guest rooms, or 70% of total guest room inventory in the state. NYSH&TA's membership is also comprised of approximately 50 parks and attractions, over 100 industry suppliers, and more than 100 cooperating organizations, tourism educators, students and individuals combined. Founded in Saratoga Springs in 1887, NYSH&TA's mission is to lead and protect the New York State hospitality and tourism industry by providing advocacy, education, and resources. The Association provides: **representation and advocacy** on behalf of the industry before state lawmakers and regulatory agencies; **resources** in the form of money-saving programs, networking opportunities and marketing exposure via the website; **educational offerings** that help members best serve their customers.

### Short-Term Rentals

Throughout the 2016 legislative session, NYSH&TA worked toward legislation prohibiting short-term rentals in New York State. While legislation was not ultimately introduced during the session, productive conversations were had in both houses, and we expect the legislation to be introduced in the Assembly when the new legislative session begins in January. Further, NYSH&TA was able to secure statewide industry support for the legislation with a June letter campaign to both Houses of the Legislature.

The New York State tourism industry is losing revenue to short-term rentals, which are largely unregulated personal homes and apartments offered for a period of less than thirty days on mobile applications and websites. As personal homes and apartments, these units are not held to the same fire and safety regulations as hotels, motels, or bed and breakfasts. Since these units are not held to the same taxes and regulations as other lodging options, deregulation has been encouraged in some areas of the state.

Airbnb recently forged deals with Sullivan and Tompkins counties to collect and remit local occupancy taxes on behalf of their hosts, in an effort to legitimize their operations in New York. However, under State law, lodging operators are the only parties authorized to collect and remit occupancy taxes. Therefore, any agreements for the payment of occupancy taxes between counties and third-party platforms such as Airbnb circumvent State law, and serve merely as a vehicle for Airbnb to improperly legitimize the model within the State. NYSH&TA led an effort by the tourism industry to advocate the Legislature against such illegal agreements.

Municipalities need to be aware that Airbnb continues to beat back efforts at the state level by reaching occupancy tax agreements with counties. As an industry, we continue to emphasize the need to level the playing field not only on taxes but code enforcement and public protections as well. To this end, we will continue to educate legislators on the need for statewide regulation and oversight on such an important issue facing our industry.

NYSH&TA also supported legislation that passed both Houses of the Legislature which bars the advertising of short-term rental platforms such as Airbnb in New York City. The bill prohibits advertising for these units in New York City for rental periods of less than 30 days, and it includes fines of up to \$7,500 where there are multiple violations. Short term rentals in New York City harm residents whose buildings have been turned into lodging destinations for tourists, and platforms such as Airbnb have failed to bring the units advertised on their website into compliance with the law. Airbnb was taken aback by the legislation and was out in full force at the end of session, but to no avail as legislators found it important to add these additional protections to the NYC law. The bill has yet to be delivered to the Governor, but several articles concerning whether it will be signed have appeared across news outlets.

# LEGISLATIVE

# Roundtable Reception

## Sunday Brunch Legislation

NYSH&TA supported legislation signed by Governor Cuomo on September 7th that modernized the Alcohol and Beverage Control law. The legislation allows restaurants, bars, and taverns to sell alcohol beginning on 10 a.m. on Sundays, effective immediately. It also created a permitting process that will allow on-premises retail establishments the opportunity to apply for up to twelve one-day permits per year to serve alcohol between 8 a.m. and 10 a.m. on Sundays. The permitting process becomes effective on November 6th.

## Tourism Funding in the Enacted 2016-2017 NYS Budget

I Love NY:	\$2.5M
Matching Grants:	\$4.315M
Market NY:	\$5M
Additional Market NY:	\$8M
Taste NY:	\$1.1M
Gateway Centers (Beekmantown and Binghamton):	\$196K (apiece)
Finger Lakes Tourism Alliance:	\$100K
Queens Economic Development Corp:	\$100K
Long Island Farm Bureau for Tourism Promotion:	\$50K
Long Island Wine Council for Tourism Promotion:	\$50K
Merrick Chamber of Commerce:	\$40K
Chautauqua Chamber of Commerce:	\$40K
Cattaraugus Chamber of Commerce:	\$40K
I Love NY Local Bus Tour Promotion:	\$100K

## Scaffold Law

The Scaffold Law, which dates back to the 1885, holds contractors and property owners fully liable in lawsuits for gravity-related construction injuries, regardless of partial contributing fault by a worker. According to an independent study, in 2012, Scaffold Law lawsuits represented half of the top settlements in New York and are responsible for escalating insurance and building costs across the state. These costs threaten the viability of many small businesses and impose millions of dollars in costs on taxpayers. New York is the only state in the nation where such a law is still on the books. While proposed legislation to reform the Scaffold Law enjoys bipartisan support in both houses of the legislature, the reforms were not passed in the 2016 Legislative Session. NYSH&TA will continue to join many others in the business community in supporting Scaffold Reform legislation.

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**LEGISLATIVE**

*Roundtable Breakfast*

# Long Island Hospitality & Leisure Association



## Long Island Convention & Visitors Bureau and Sports Commission

The Long Island Convention & Visitors Bureau and Sports Commission (LICVB&SC) was established in 1979 as the official tourism promotion agency for the destination's travel and tourism industry.

Based on Long Island in Hauppauge, NY, the LICVB&SC contributes to the economic development and quality of life on Long Island by promoting the region as a world-class destination for tourism, meetings and conventions, trade shows, sporting events, and related activities.



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