

STATE OF NEW YORK

4040--A

2023-2024 Regular Sessions

IN SENATE

February 2, 2023

Introduced by Sens. MAYER, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to the organization of industrial development agencies and the definition of labor organization

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 854 of the general municipal law is amended by
2 adding a new subdivision 22 to read as follows:

3 (22) "Labor organization"--shall mean any organization which exists
4 and is constituted for the purpose, in whole or in part, of collective
5 bargaining, or of dealing with employers concerning grievances, terms or
6 conditions of employment, or of other mutual aid or protection and which
7 is not a company union.

8 § 2. Subdivision 2 of section 856 of the general municipal law, as
9 amended by chapter 356 of the laws of 1993, is amended to read as
10 follows:

11 2. (a) An agency shall be a corporate governmental agency, constitut-
12 ing a public benefit corporation. Except as otherwise provided by
13 special act of the legislature, an agency shall consist of not less than
14 three nor more than seven members who shall be appointed by the govern-
15 ing body of each municipality and who shall serve at the pleasure of the
16 appointing authority. If the initial addition of the mandatory members
17 required pursuant to paragraph (b) of this subdivision would increase
18 the agency size to above the maximum seven-member limit, the agency may
19 temporarily increase its size to the necessary number to allow for the
20 addition of such two mandatory members. Provided, however, that such

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 agency size shall decrease to the previous size as non-mandatory members
2 resign from office.

3 (b) Such members ~~[may]~~ shall include ~~[representatives]~~ at least one
4 representative of ~~[local government,]~~ a local labor organization and at
5 least one school ~~[boards, organized labor and business]~~ board member or
6 district superintendent of a school district within the jurisdiction of
7 the agency or a designee of such school board or district superinten-
8 dent. A member shall continue to hold office until his or her successor
9 is appointed and has qualified. The governing body of each municipality
10 shall designate the first ~~[chairman]~~ chairperson and file with the
11 secretary of state a certificate of appointment or reappointment of any
12 member. Such members shall receive no compensation for their services
13 but shall be entitled to the necessary expenses, including traveling
14 expenses, incurred in the discharge of their duties.

15 § 3. This act shall take effect immediately.