S T A T E O F N E W Y O R K

1021

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. PAULIN -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to the establishment of the White Plains industrial development agency

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general municipal law is amended by adding a new section 902-d to read as follows:

S 902-D. CITY OF WHITE PLAINS INDUSTRIAL DEVELOPMENT AGENCY. FOR THE BENEFIT OF THE CITY OF WHITE PLAINS AND THE INHABITANTS THEREOF, AN INDUSTRIAL DEVELOPMENT AGENCY, TO BE KNOWN AS THE CITY OF WHITE PLAINS INDUSTRIAL DEVELOPMENT AGENCY, IS HEREBY ESTABLISHED FOR THE ACCOMPLISHMENT OF ANY OR ALL OF THE PURPOSES SPECIFIED IN TITLE ONE OF THIS ARTICLE. IT SHALL CONSTITUTE A BODY CORPORATE AND POLITIC, AND BE PERPETUAL IN DURATION. IT SHALL HAVE THE POWERS AND DUTIES NOW OR HEREAFTER CONFERRED BY TITLE ONE OF THIS ARTICLE UPON INDUSTRIAL DEVELOPMENT AGENCIES, EXCEPT THAT THE AGENCY'S POWER OF CONDEMNATION SHALL NOT BE EXERCISED WITHOUT PRIOR APPROVAL OF THE CITY COUNCIL OF THE CITY, AND PROVIDED THAT THE EXERCISE OF THE POWERS BY SUCH AGENCY WITH RESPECT TO THE ACQUISITION OF REAL PROPERTY, WHETHER BY PURCHASE, CONDEMNATION OR OTHERWISE, SHALL BE LIMITED TO THE CORPORATE LIMITS OF THE CITY OF WHITE PLAINS, AND SUCH AGENCY SHALL TAKE INTO CONSIDERATION THE LOCAL ZONING AND PLANNING REGULATIONS AS WELL AS THE REGIONAL AND LOCAL COMPREHENSIVE LAND USE PLANS. IT SHALL BE ORGANIZED IN A MANNER PRESCRIBED BY AND BE SUBJECT TO THE PROVISIONS OF TITLE ONE OF THIS ARTICLE, EXCEPT THAT THE MEMBERS SHALL BE APPOINTED BY THE MAYOR OF SAID CITY, SUBJECT TO CONFIRMATION BY ITS GOVERNING BODY, AND SHALL SERVE AT THE PLEASURE OF THE MAYOR. THE MAYOR SHALL DESIGNATE THE CHAIR, WHO SHALL SERVE AT THE PLEASURE OF THE MAYOR. EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE AGENCY, ITS MEMBERS, OFFICERS AND EMPLOYEES AND ITS OPERATIONS AND

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

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ACTIVITIES SHALL IN ALL RESPECTS BE GOVERNED BY THE PROVISIONS OF TITLE ONE OF THIS ARTICLE.

S 2. This act shall take effect immediately; provided that the secretary of state or his or her appointed designee shall notify the legislative bill drafting commission as to whether or not the office of the secretary of state has timely received the certificate required to be filed pursuant to section 856 of the general municipal law in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effecting the provisions of section 70-b of the public officers law; and provided further that upon receiving notification from the secretary of state that such certificate has not been so timely filed, this act shall be deemed repealed on the thirtieth day after the legislative bill drafting commission has received such notification of failure to timely file such certificate.