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

3764

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. CLARK, BRENNAN, PHEFFER, JACOBS, MILLMAN, P. RIVERA, LANCMAN, TITUS, CARROZZA, SCARBOROUGH -- Multi-Sponsored by -- M. of A. BOYLAND, COOK, GABRYSZAK, GIANARIS, GOTTFRIED, HIKIND, LENTOL, MAISEL, MARKEY, MAYERSOHN, ROBINSON, TITONE, WEISENBERG -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to licensing of establishments where fowls are slaughtered and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Article 5-A of the agriculture and markets law is amended by adding a new section 96-aa to read as follows:

S 96-AA. MORATORIUM ON LICENSES. THE LEGISLATURE HAS FOUND THAT THERE ARE PUBLIC HEALTH AND SAFETY CONCERNS SUCH AS AVIAN INFLUENZA ASSOCIATED WITH ESTABLISHMENTS THAT SLAUGHTER AND PROCESS FOWLS ON-SITE AND FURTHERMORE THAT AREAS HEAVILY POPULATED WITH RESIDENCES ARE NOT SUITABLE LOCATIONS FOR SITING SUCH BUSINESSES. THE COMMISSIONER IS HEREBY DIRECTED TO INSTITUTE A MORATORIUM ON THE ISSUANCE OF LICENSES TO LIVE POULTRY MARKETS PURSUANT TO SECTION NINETY-SIX-B OF THIS ARTICLE IN CITIES OF ONE MILLION OR MORE. DURING SUCH MORATORIUM THE COMMISSIONER SHALL DIRECT A STUDY TO BE MADE REGARDING THE AFORESAID ISSUES IN ORDER TO PREPARE NEW OR REVISE THE OLD REGULATIONS REGARDING THE LICENSING AND OPERATION OF SUCH ESTABLISHMENTS. ANY PARTY OR PERSON AGGRIEVED BY THE MORATORIUM MAY APPEAL TO THE COMMISSIONER WHO MAY GRANT ANY RELIEF HE FEELS JUSTIFIED.

S 2. This act shall take effect July 1, 2009 and shall expire and be deemed repealed July 1, 2010.

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

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