

4259

2009-2010 Regular Sessions

I N A S S E M B L Y

February 2, 2009

Introduced by M. of A. CROUCH, KOLB, RAIA -- Multi-Sponsored by -- M. of A. BACALLES, BURLING, OAKS -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the general municipal law, in relation to the establishment of agricultural empire zones

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

1 Section 1. The general municipal law is amended by adding a new arti-
2 cle 18-D to read as follows:

3 ARTICLE 18-D

4 AGRICULTURAL EMPIRE ZONES

5 SECTION 971. SHORT TITLE.

6 972. STATEMENT OF LEGISLATIVE FINDINGS AND INTENT.

7 973. ESTABLISHMENT OF AGRICULTURAL EMPIRE ZONES.

8 S 971. SHORT TITLE. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS
9 THE "NEW YORK STATE AGRICULTURAL EMPIRE ZONES ACT".

10 S 972. STATEMENT OF LEGISLATIVE FINDINGS AND INTENT. IT IS HEREBY
11 FOUND AND DECLARED THAT THERE EXIST WITHIN THE STATE CERTAIN AGRICUL-
12 TURAL AREAS CHARACTERIZED BY PERSISTENT AND PERVASIVE POVERTY, LIMITED
13 NEW AGRICULTURE INDUSTRY OPPORTUNITIES, A DEPENDENCE ON PUBLIC ASSIST-
14 ANCE INCOME, DILAPIDATED AND ABANDONED FARMS AND AGRICULTURE RELATED
15 INDUSTRIAL FACILITIES, AND SHRINKING TAX BASES. THESE SEVERE CONDITIONS
16 REQUIRE STATE GOVERNMENT TO TARGET FOR THESE AREAS EXTRAORDINARY ECONOM-
17 IC AND AGRICULTURE RELATED DEVELOPMENT PROGRAMS IN ORDER TO STIMULATE
18 PRIVATE INVESTMENT, AND PRIVATE AGRICULTURAL BUSINESS DEVELOPMENT. IT
19 IS THE PUBLIC POLICY OF THE STATE TO OFFER SPECIAL INCENTIVES AND
20 ASSISTANCE THAT WILL PROMOTE THE DEVELOPMENT OF NEW AGRICULTURAL INDUS-
21 TRIES AND BUSINESSES AND THE EXPANSION OF EXISTING AGRICULTURAL BUSI-
22 NESSES WITHIN THESE ECONOMICALLY IMPOVERISHED AREAS AND TO DO SO WITHOUT
23 ENCOURAGING THE RELOCATION OF AGRICULTURAL BUSINESS INVESTMENT FROM
24 OTHER AREAS OF THE STATE. IT IS FURTHER FOUND AND DECLARED THAT IT IS

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

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1 THE PUBLIC POLICY OF THE STATE TO ACHIEVE THESE GOALS THROUGH THE MUTUAL
2 COOPERATION OF ALL LEVELS OF STATE AND LOCAL GOVERNMENT AND THE BUSINESS
3 COMMUNITY.

4 S 973. ESTABLISHMENT OF AGRICULTURAL EMPIRE ZONES. AFTER CONSULTATION
5 WITH THE COMMISSIONER OF AGRICULTURE AND MARKETS, THE DIRECTOR OF THE
6 BUDGET, AND THE COMMISSIONER OF TAXATION AND FINANCE, THE COMMISSIONER
7 OF ECONOMIC DEVELOPMENT SHALL PROMULGATE RULES AND REGULATIONS GOVERNING
8 THE ESTABLISHMENT OF AGRICULTURAL EMPIRE ZONES BASED ON RULES AND REGU-
9 LATIONS THAT GOVERN THE STATES EMPIRE ZONES PROGRAM. RULES AND REGU-
10 LATIONS PROMULGATED BY THE COMMISSIONER OF ECONOMIC DEVELOPMENT IN
11 CONSULTATION WITH THE COMMISSIONER OF AGRICULTURE AND MARKETS, THE
12 DIRECTOR OF THE BUDGET, AND THE COMMISSIONER OF TAXATION AND FINANCE
13 SHALL INCLUDE BUT NOT BE LIMITED TO CRITERIA FOR AGRICULTURAL EMPIRE
14 ZONE ELIGIBILITY, AND THE APPLICATION PROCESS. CRITERIA FOR AGRICULTURAL
15 EMPIRE ZONE ELIGIBILITY SHALL INCLUDE BUT NOT BE LIMITED TO AREAS THAT
16 HAVE SUFFERED AN EROSION IN THEIR AGRICULTURAL BASE EITHER THROUGH LOSS
17 OF FARM LAND OR LOSS OF AGRICULTURE RELATED REVENUE. CRITERIA FOR AGRI-
18 CULTURAL EMPIRE ZONE ELIGIBILITY SHALL NOT INCLUDE JOB CREATION.

19 S 2. This act shall take effect on the one hundred eightieth day after
20 it shall have become a law. Effective immediately, the addition, amend-
21 ment and/or repeal of any rule or regulation necessary for the implemen-
22 tation of this act on its effective date is authorized to be made on or
23 before such effective date.