

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

5452--B

2011-2012 Regular Sessions

I N S E N A T E

May 24, 2011

Introduced by Sen. ALESI -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to the Genesee Valley Regional Market District

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

1 Section 1. Subdivision 6 of section 878 of the public authorities law,
2 as added by section 1 of part JJ of chapter 59 of the laws of 2010, is
3 amended to read as follows:
4 6. In fulfilling the authority's mission, the board shall work cooper-
5 atively and in consultation with the department of agriculture and
6 markets to assure the proper development of AGRICULTURE AND regional
7 market facilities, in the Genesee Valley Regional Market District. The
8 board and the department of agriculture and markets shall jointly devel-
9 op a plan for the future development and viability of AGRICULTURE AND
10 regional market facilities in the district. Such plan shall include both
11 short term and long term goals and objectives as well as actual and
12 projected revenues and expenditures. Such plan shall annually allocate
13 no less than seventy-five percent of the authority's available funds for
14 the creation, development, and enhancement of AGRICULTURE AND regional
15 market facilities, in the district. For purposes of this subdivision,
16 available funds shall mean the net amount available after contractually
17 obligated expenditures are subtracted from, but not be limited to, cash,
18 cash equivalents, certificates of deposit, and other receivables avail-
19 able. The board and department shall meet annually prior to the close of
20 the authority's fiscal year to evaluate the effectiveness of the use of
21 funds for that fiscal year, review the goals and objectives of the plan,

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

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1 and properly prepare for the allocation and use of such funds for the
2 next fiscal year. The plan shall be updated annually to make appropriate
3 modifications to such plan for the next fiscal year. Prior to any such
4 funds being expended, both the board and the department must approve
5 such plan, its goals and objectives as well as the projected revenues
6 and proposed allocations.

7 The Genesee Valley Regional Market Authority shall furnish an annual
8 real estate report detailing all real estate holdings and detailed prop-
9 erty information, including but not limited to the tenants, important
10 lease terms, rents, durations of leases, as well as copies of each
11 lease. Notwithstanding any other provision of law to the contrary, the
12 Genesee Valley Regional Market Authority shall furnish all required
13 reports, audits, and reviews, including the annual real estate report,
14 to all parties enumerated in paragraph (a) of subdivision one of section
15 twenty-eight hundred of this chapter as well as to the department of
16 agriculture and markets, within ninety days after the end of its fiscal
17 year.

18 S 2. The opening paragraph of section 879 of the public authorities
19 law, as amended by chapter 757 of the laws of 1963, is amended to read
20 as follows:

21 The purposes of the authority shall be TO ASSIST IN THE ESTABLISHMENT
22 AND DEVELOPMENT OF AGRICULTURE AND AGRICULTURALLY RELATED BUSINESSES IN
23 THE DISTRICT, AND to acquire, construct, reconstruct, improve, equip,
24 operate and maintain adequate regional market facilities within the
25 district for the buying and selling of agricultural products and to
26 conduct such other business activities as reasonably are incidental to
27 and in furtherance of the convenient, efficient, profitable and success-
28 ful operation of such regional market facilities. FOR THE PURPOSES OF
29 THIS TITLE, "AGRICULTURALLY RELATED BUSINESS" SHALL INCLUDE, BUT NOT BE
30 LIMITED TO, AGRICULTURAL ECONOMIC DEVELOPMENT PROJECTS IN THE DISTRICT
31 FOR PRODUCTION, MANUFACTURING, PROCESSING, WAREHOUSING, DISTRIBUTION,
32 MARKETING, TRAINING, RESEARCH AND DIAGNOSTICS RELATED TO SALE OF CROPS,
33 LIVESTOCK AND LIVESTOCK PRODUCTS AS DEFINED IN SECTION THREE HUNDRED ONE
34 OF THE AGRICULTURE AND MARKETS LAW. PROJECT COSTS MAY INCLUDE, BUT NOT
35 BE LIMITED TO, LAND, BUILDINGS, MACHINERY, EQUIPMENT, PROCESSED OR
36 PARTIALLY PROCESSED AGRICULTURAL COMMODITIES, ROOT STOCK, LIVESTOCK,
37 OTHER PERSONAL PROPERTY, MATERIALS, WORKING CAPITAL, OR STOCK IN TRADE
38 REQUIRED TO ESTABLISH SUCH PROJECT. NOT-FOR-PROFIT CORPORATIONS, AGRI-
39 CULTURAL COOPERATIVE CORPORATIONS, PUBLIC BENEFIT CORPORATIONS, MUNICI-
40 PALITIES AND EDUCATIONAL INSTITUTIONS SERVING THE DISTRICT SHALL BE
41 ELIGIBLE TO APPLY FOR SUPPORT UNDER THIS TITLE. To enable the authority
42 to carry out such purposes, the authority shall have power:

43 S 3. This act shall take effect immediately.