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

2791

2011-2012 Regular Sessions

I N A S S E M B L Y

January 20, 2011

Introduced by M. of A. CROUCH, KOLB, 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:

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

ARTICLE 18-D
AGRICULTURAL EMPIRE ZONES

SECTION 971. SHORT TITLE.
972. STATEMENT OF LEGISLATIVE FINDINGS AND INTENT.
973. ESTABLISHMENT OF AGRICULTURAL EMPIRE ZONES.

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

S 972. STATEMENT OF LEGISLATIVE FINDINGS AND INTENT. IT IS HEREBY FOUND AND DECLARED THAT THERE EXIST WITHIN THE STATE CERTAIN AGRICULTURAL AREAS CHARACTERIZED BY PERSISTENT AND PERVASIVE POVERTY, LIMITED NEW AGRICULTURE INDUSTRY OPPORTUNITIES, A DEPENDENCE ON PUBLIC ASSISTANCE INCOME, DILAPIDATED AND ABANDONED FARMS AND AGRICULTURE RELATED INDUSTRIAL FACILITIES, AND SHRINKING TAX BASES. THESE SEVERE CONDITIONS REQUIRE STATE GOVERNMENT TO TARGET FOR THESE AREAS EXTRAORDINARY ECONOMIC AND AGRICULTURE RELATED DEVELOPMENT PROGRAMS IN ORDER TO STIMULATE PRIVATE INVESTMENT, AND PRIVATE AGRICULTURAL BUSINESS DEVELOPMENT. IT IS THE PUBLIC POLICY OF THE STATE TO OFFER SPECIAL INCENTIVES AND ASSISTANCE THAT WILL PROMOTE THE DEVELOPMENT OF NEW AGRICULTURAL INDUSTRIES AND BUSINESSES AND THE EXPANSION OF EXISTING AGRICULTURAL BUSINESSES WITHIN THESE ECONOMICALLY IMPOVERISHED AREAS AND TO DO SO WITHOUT ENCOURAGING THE RELOCATION OF AGRICULTURAL BUSINESS INVESTMENT FROM 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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THE PUBLIC POLICY OF THE STATE TO ACHIEVE THESE GOALS THROUGH THE MUTUAL COOPERATION OF ALL LEVELS OF STATE AND LOCAL GOVERNMENT AND THE BUSINESS COMMUNITY.

S 973. ESTABLISHMENT OF AGRICULTURAL EMPIRE ZONES. AFTER CONSULTATION WITH THE COMMISSIONER OF AGRICULTURE AND MARKETS, THE DIRECTOR OF THE BUDGET, AND THE COMMISSIONER OF TAXATION AND FINANCE, THE COMMISSIONER OF ECONOMIC DEVELOPMENT SHALL PROMULGATE RULES AND REGULATIONS GOVERNING THE ESTABLISHMENT OF AGRICULTURAL EMPIRE ZONES BASED ON RULES AND REGULATIONS THAT GOVERN THE STATES EMPIRE ZONES PROGRAM. RULES AND REGULATIONS PROMULGATED BY THE COMMISSIONER OF ECONOMIC DEVELOPMENT IN CONSULTATION WITH THE COMMISSIONER OF AGRICULTURE AND MARKETS, THE DIRECTOR OF THE BUDGET, AND THE COMMISSIONER OF TAXATION AND FINANCE SHALL INCLUDE BUT NOT BE LIMITED TO CRITERIA FOR AGRICULTURAL EMPIRE ZONE ELIGIBILITY, AND THE APPLICATION PROCESS. CRITERIA FOR AGRICULTURAL EMPIRE ZONE ELIGIBILITY SHALL INCLUDE BUT NOT BE LIMITED TO AREAS THAT HAVE SUFFERED AN EROSION IN THEIR AGRICULTURAL BASE EITHER THROUGH LOSS OF FARM LAND OR LOSS OF AGRICULTURE RELATED REVENUE. CRITERIA FOR AGRICULTURAL EMPIRE ZONE ELIGIBILITY SHALL NOT INCLUDE JOB CREATION.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made on or before such effective date.