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

5360

2013-2014 Regular Sessions

I N A S S E M B L Y

February 25, 2013

Introduced by M. of A. MAGEE, McLAUGHLIN -- Multi-Sponsored by -- M. of A. CLARK, P. LOPEZ -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law and the not-for-profit corporation law, in relation to licensure of exhibits or entertainment on fair grounds

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

Section 1. Section 290 of the agriculture and markets law is amended to read as follows:

S 290. Association of farmers; powers of. Any association of farmers, residing in any neighborhood, town or county in this state, now, or hereafter to be organized, and acting under a constitution and by-laws adopted by themselves for their guidance, which shall be filed in the clerk's office of such town or county and which are not inconsistent with the laws of this state, is hereby authorized to lease and maintain grounds and structures for the exhibition and sale of the products of their farms or their skill, and for the instruction and recreation of its members and visitors. Any such association shall have authority to let, for rent, locations on their leased grounds to EXHIBITIONS, ENTERTAINMENTS, shopmen and persons wishing to furnish suitable refreshments for victualing members and visitors OR FOR STORAGE OF PERSONAL PROPERTY WHEN PROPERTY IS AVAILABLE FOR SUCH ACTIVITY; to license peddlers to sell on their grounds articles of merchandise, not forbidden to be sold by any law of this state without license from the state; and in the name of such association and upon the action and direction of its officers, to sue for and collect the stipulated sums of such rentals and licenses, and to enforce the observance of its rules and regulations by the several members of its association. And such association is hereby empowered to issue certificates of indebtedness in amounts of five dollars each, providing that the whole amount shall not exceed the sum

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

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of one thousand dollars, which they may sell at a price not below the par value thereof, for the purpose of raising money for the erection of buildings, or for such other improvements as may be deemed necessary by a majority of the members of such association.

S 2. Paragraph (k) of section 1409 of the not-for-profit corporation law is amended to read as follows:

(k) Exhibitions and entertainments on fair grounds to be exempt from license.

The provisions of any special or local law or municipal ordinance, requiring the payment of a license fee for exhibitions or entertainments OR REQUIRING THAT AN APPROVAL BE OBTAINED FROM ANY LOCAL GOVERNMENT EXCEPT AN APPROVAL REQUIRED TO PROTECT THE SAFETY, HEALTH AND WELL-BEING OF PERSONS, shall not apply to any exhibition or entertainment held on the grounds of a town or county corporation whether or not the corporation derives a pecuniary profit from such exhibition or entertainment by the lease of its grounds for such purpose AND THE PROVISIONS OF ANY SPECIAL OR LOCAL LAW OR MUNICIPAL ORDINANCE SHALL NOT BE CONSTRUED OR APPLIED TO UNREASONABLY PROHIBIT OR RESTRICT ANY AGRICULTURAL OR HORTICULTURAL CORPORATION RECEIVING REIMBURSEMENT PURSUANT TO ARTICLE TWENTY-FOUR OF THE AGRICULTURE AND MARKETS LAW FROM THE CONSTRUCTION, IMPROVEMENT, RENOVATION, RELOCATION OR DEMOLITION OF ALL OR ANY OF SUCH AGRICULTURAL OR HORTICULTURAL CORPORATION GROUNDS, BUILDINGS AND FACILITIES.

S 3. This act shall take effect immediately.