

5501--A

2013-2014 Regular Sessions

I N   A S S E M B L Y

February 28, 2013

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Introduced by M. of A. SKOUFIS, RUSSELL, BLANKENBUSH, GUNTHER, BARCLAY, LAVINE, JAFFEE, CAHILL, CROUCH, P. LOPEZ, ROBERTS, PALMESANO -- Multi-Sponsored by -- M. of A. COOK, MAGEE, McDONALD, McLAUGHLIN, PERRY, ROBINSON, SALADINO, SEPULVEDA -- read once and referred to the Committee on Local Governments -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to authorizing industrial development agencies to provide assistance to agricultural producers

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

1     Section 1. The first undesignated paragraph of section 852 of the  
2     general municipal law, as amended by chapter 747 of the laws of 2005, is  
3     amended to read as follows:  
4     It is hereby declared to be the policy of this state to promote the  
5     economic welfare, recreation opportunities and prosperity of its inhab-  
6     itants and to actively promote, attract, encourage and develop recre-  
7     ation, economically sound commerce [and], industry AND AGRICULTURE, and  
8     economically sound projects identified and called for to implement a  
9     state heritage area management plan as provided in title G of the parks,  
10    recreation and historic preservation law through governmental action for  
11    the purpose of preventing unemployment and economic deterioration by the  
12    creation of industrial development agencies which are hereby declared to  
13    be governmental agencies and instrumentalities and to grant to such  
14    industrial development agencies the rights and powers provided in this  
15    article.  
16    S 2. Subdivision 4 of section 854 of the general municipal law, as  
17    amended by section 6 of part J of chapter 59 of the laws of 2013, is  
18    amended to read as follows:

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

LBD04217-03-4

1 (4) "Project" - shall mean any land, any building or other improve-  
2 ment, and all real and personal properties located within the state of  
3 New York and within or outside or partially within and partially outside  
4 the municipality for whose benefit the agency was created, including,  
5 but not limited to, machinery, equipment and other facilities deemed  
6 necessary or desirable in connection therewith, or incidental thereto,  
7 whether or not now in existence or under construction, which shall be  
8 suitable for manufacturing, warehousing, research, commercial [or],  
9 industrial OR AGRICULTURAL purposes or other economically sound purposes  
10 identified and called for to implement a state designated urban cultural  
11 park management plan as provided in title G of the parks, recreation and  
12 historic preservation law and which may include or mean an industrial  
13 pollution control facility, a recreation facility, educational or  
14 cultural facility, a horse racing facility, a railroad facility or an  
15 automobile racing facility, provided, however, no agency shall use its  
16 funds or provide financial assistance in respect of any project wholly  
17 or partially outside the municipality for whose benefit the agency was  
18 created without the prior consent thereto by the governing body or  
19 bodies of all the other municipalities in which a part or parts of the  
20 project is, or is to be, located, and such portion of the project  
21 located outside such municipality for whose benefit the agency was  
22 created shall be contiguous with the portion of the project inside such  
23 municipality.

24 S 3. Section 854 of the general municipal law is amended by adding a  
25 new subdivision 21 to read as follows:

26 (21) "AGRICULTURE" OR "AGRICULTURAL" - SHALL MEAN AND INCLUDE THE  
27 PRODUCTION OF ANY AGRICULTURAL, HORTICULTURAL, FLORICULTURAL OR AQUACUL-  
28 TURAL PRODUCT OF THE SOIL OR WATER THAT HAS BEEN GROWN, HARVESTED OR  
29 PRODUCED WITHIN THE STATE, INCLUDING BUT NOT LIMITED TO FRUITS, VEGETA-  
30 BLES, EGGS, DAIRY PRODUCTS, MEAT AND MEAT PRODUCTS, POULTRY AND POULTRY  
31 PRODUCTS, FISH AND FISH PRODUCTS, GRAIN AND GRAIN PRODUCTS, HONEY, NUTS,  
32 PRESERVES, MAPLE SAP PRODUCTS, APPLE CIDER, AND FRUIT JUICE AND INCLUDES  
33 THE COMMERCIAL RAISING, SHEARING, FEEDING AND MANAGEMENT OF ANIMALS ON A  
34 FARM OR RANCH.

35 S 4. This act shall take effect immediately.