

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sens. LARKIN, CARLUCCI, DeFRANCISCO, MAZIARZ, O'MARA, RANZENHOFER, RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

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 chapter 478 of the laws of 2011, is amended to read as  
18 follows:

19 (4) "Project" - shall mean any land, any building or other improve-  
20 ment, and all real and personal properties located within the state of  
21 New York and within or outside or partially within and partially outside  
22 the municipality for whose benefit the agency was created, including,

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

1 but not limited to, machinery, equipment and other facilities deemed  
2 necessary or desirable in connection therewith, or incidental thereto,  
3 whether or not now in existence or under construction, which shall be  
4 suitable for manufacturing, warehousing, research, commercial [or],  
5 industrial OR AGRICULTURAL purposes or other economically sound purposes  
6 identified and called for to implement a state designated urban cultural  
7 park management plan as provided in title G of the parks, recreation and  
8 historic preservation law and which may include or mean an industrial  
9 pollution control facility, a recreation facility, educational or  
10 cultural facility, a horse racing facility, a railroad facility or an  
11 automobile racing facility, provided, however, no agency shall use its  
12 funds in respect of any project wholly or partially outside the municipi-  
13 pality for whose benefit the agency was created without the prior  
14 consent thereto by the governing body or bodies of all the other municipi-  
15 palities in which a part or parts of the project is, or is to be,  
16 located.

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

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

28 S 4. This act shall take effect immediately.