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

7988

2015-2016 Regular Sessions

I N A S S E M B L Y

June 3, 2015

Introduced by M. of A. MAGEE -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to farm trails, apple trails and cuisine trails

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

Section 1. Paragraph (c) of subdivision 2 of section 284-a of the agriculture and markets law, as amended by chapter 448 of the laws of 2008, is amended to read as follows:

(c) "cuisine trail" shall mean an association of producers, that may include a combination of producers, food or agricultural product processors and retailers including, but not limited to, restaurants, that are in close proximity to each other, and that sell in a cooperative manner a complementary variety of unusual, unique, GOURMET or hard to find fresh farm and food products and foods prepared primarily with such products for on or off premises consumption, including but not limited to, herbs, meats, vegetables, salad materials, wines OR OTHER ALCOHOLIC BEVERAGES AND/OR NON-ALCOHOLIC BEVERAGES, cut flowers, mushrooms, or fruits. Such trails may utilize a map, other directional devices, or highway signs to market their products and direct patrons to their places of business.

S 2. The opening paragraph of paragraph (b) of subdivision 3 of section 284-a of the agriculture and markets law, as amended by chapter 448 of the laws of 2008, is amended to read as follows:

Designations shall take into consideration geographic proximity and alignment, thematic consistency, geographic or historical consistency, density, economic feasibility, and the cooperation of agricultural producers on the trails to be designated. The department shall designate no more than [ten] TWENTY-FIVE farm trails, ten apple trails, and [ten] TWENTY-FIVE cuisine trails. Criteria for developing and approving such trails shall include:

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

LBD11385-01-5

S 3. Subparagraph (ii) of paragraph (c) of subdivision 3 of section 284-a of the agriculture and markets law, as amended by chapter 448 of the laws of 2008, is amended to read as follows:

(ii) the commissioner of transportation. The commissioner of transportation shall cooperate with the department in carrying out the provisions of this section. The commissioner of transportation, upon receipt of a one time five hundred dollar application fee, is authorized to permit the installation and maintenance of signs on the state highway system for trails designated pursuant to this section. Such funds received by the commissioner of transportation pursuant to this subdivision shall be deposited pursuant to section eighty-nine-b of the state finance law. However, to avoid confusion and to limit any possible disruption of commerce, the trail designations called for pursuant to this section shall be of a ceremonial nature and the official names of such highway shall not be changed as a result of such designations. Signage for trails designated pursuant to this section may include "farm trail", "apple trail", "cuisine trail" or ANY other descriptive language OR TRAIL NAME, APPROVED BY THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, USED to promote the marketing of [the trails] SUCH TRAIL products.

S 4. Paragraph (a) of subdivision 4 of section 284-a of the agriculture and markets law, as amended by chapter 448 of the laws of 2008, is amended to read as follows:

(a) Any association of producers as described in this section, upon payment of an application fee of two hundred fifty dollars and completion of an application form, may obtain from the department designation as a farm, apple, or cuisine trail, OR ANY OTHER DESCRIPTIVE LANGUAGE OR TRAIL NAME APPROVED BY THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, USED TO PROMOTE THE MARKETING OF SUCH TRAIL PRODUCTS. Such funds received by the department pursuant to this subdivision shall be deposited in the general fund. All applicants must satisfy the designation criteria stated in subdivision three of this section.

S 5. This act shall take effect immediately.