

1373

2015-2016 Regular Sessions

I N A S S E M B L Y

January 12, 2015

Introduced by M. of A. CROUCH, GIGLIO, HAWLEY, LOPEZ -- Multi-Sponsored
by -- M. of A. MONTESANO -- read once and referred to the Committee
on Agriculture

AN ACT to amend the agriculture and markets law, in relation to trans-
portation surcharges

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

1 Section 1. The agriculture and markets law is amended by adding a new
2 section 257-b to read as follows:
3 S 257-B. TRANSPORTATION SURCHARGES. 1. A DAIRY TRANSPORTER SHALL NOT
4 REQUIRE AN INDIVIDUAL FARMER, FARMING COOPERATIVE OR A FARMING ASSOCI-
5 ATION TO PAY A DAIRY HAULING SURCHARGE; UNLESS SUCH SURCHARGE IS
6 APPROVED BY THE DEPARTMENT. THE DEPARTMENT SHALL APPROVE TRANSPORTATION
7 SURCHARGES WHICH THE COMMISSIONER DEEMS JUSTIFIED SURCHARGES.
8 2. FOR THE PURPOSES OF THIS SECTION, A JUSTIFIED SURCHARGE SHALL BE
9 DEFINED AS A CHARGE DIRECTLY CORRELATED TO THE ACTUAL COSTS OF TRANSPOR-
10 TATION DUE TO THE DRASTIC INCREASE IN THE COST OF FUEL AND ANY UNANTIC-
11 IPATED COST THAT AFFECTS THE ENTIRE DAIRY INDUSTRY.
12 S 2. This act shall take effect on the sixtieth day after it shall
13 have become a law.

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

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