

7988--B

2015-2016 Regular Sessions

I N A S S E M B L Y

June 3, 2015

Introduced by M. of A. MAGEE, DiPIETRO -- read once and referred to the Committee on Agriculture -- recommitted to the Committee on Agriculture in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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:

1 Section 1. Paragraph (c) of subdivision 2 of section 284-a of the
2 agriculture and markets law, as amended by chapter 448 of the laws of
3 2008, is amended to read as follows:
4 (c) "cuisine trail" shall mean an association of producers, that may
5 include a combination of producers, food or agricultural product proces-
6 sors and retailers including, but not limited to, restaurants, that are
7 in close proximity to each other, and that sell in a cooperative manner
8 a complementary variety of unusual, unique, GOURMET or hard to find
9 fresh farm and food products and foods prepared primarily with such
10 products for on or off premises consumption, including but not limited
11 to, herbs, meats, vegetables, salad materials, wines OR OTHER ALCOHOLIC
12 BEVERAGES AND/OR NON-ALCOHOLIC BEVERAGES, cut flowers, mushrooms, or
13 fruits. Such trails may utilize a map, other directional devices, or
14 highway signs to market their products and direct patrons to their plac-
15 es of business.
16 S 2. The opening paragraph and subparagraph (i) of paragraph (b) of
17 subdivision 3 of section 284-a of the agriculture and markets law, as
18 amended by chapter 448 of the laws of 2008, are amended to read as
19 follows:
20 Designations shall take into consideration geographic proximity and
21 alignment, thematic consistency, geographic or historical consistency,

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

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1 density, economic feasibility, and the cooperation of agricultural
2 producers on the trails to be designated. The department shall designate
3 no more than [ten] FIFTEEN farm trails, [ten] FIFTEEN apple trails, and
4 [ten] FIFTEEN cuisine trails. Criteria for developing and approving
5 such trails shall include:

6 (i) that the length of such trail, excluding laterals, is no longer
7 than [fifty] SEVENTY-FIVE miles,

8 S 3. Subparagraph (ii) of paragraph (c) of subdivision 3 of section
9 284-a of the agriculture and markets law, as amended by chapter 448 of
10 the laws of 2008, is amended to read as follows:

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

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

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

40 S 5. This act shall take effect immediately.