

5720

2015-2016 Regular Sessions

I N S E N A T E

May 29, 2015

Introduced by Sens. VALESKY, LARKIN -- read twice and ordered printed,
and when printed to be committed 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:

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 of paragraph (b) of subdivision 3 of
17 section 284-a of the agriculture and markets law, as amended by chapter
18 448 of the laws of 2008, is amended to read as follows:
19 Designations shall take into consideration geographic proximity and
20 alignment, thematic consistency, geographic or historical consistency,
21 density, economic feasibility, and the cooperation of agricultural
22 producers on the trails to be designated. The department shall designate
23 no more than [ten] TWENTY-FIVE farm trails, ten apple trails, and [ten]
24 TWENTY-FIVE cuisine trails. Criteria for developing and approving such
25 trails shall include:

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

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

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

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

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

34 S 5. This act shall take effect immediately.