

# STATE OF NEW YORK

4040--B

Cal. No. 1226

2023-2024 Regular Sessions

## IN SENATE

February 2, 2023

Introduced by Sens. MAYER, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report

AN ACT to amend the general municipal law, in relation to the organization of industrial development agencies and the definition of labor organization

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 854 of the general municipal law is amended by  
2 adding a new subdivision 22 to read as follows:

3 (22) "Labor organization"--shall mean any organization which exists  
4 and is constituted for the purpose, in whole or in part, of collective  
5 bargaining, or of dealing with employers concerning grievances, terms or  
6 conditions of employment, or of other mutual aid or protection and which  
7 is not a company union.

8 § 2. Subdivision 2 of section 856 of the general municipal law, as  
9 amended by chapter 356 of the laws of 1993, is amended to read as  
10 follows:

11 2. (a) An agency shall be a corporate governmental agency, constitut-  
12 ing a public benefit corporation. Except as otherwise provided by  
13 special act of the legislature, an agency shall consist of not less than  
14 three nor more than seven members who shall be appointed by the govern-  
15 ing body of each municipality and who shall serve at the pleasure of the  
16 appointing authority. If the initial addition of the mandatory members  
17 required pursuant to paragraph (b) of this subdivision would increase  
18 the agency size to above the maximum seven-member limit, the agency may

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

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1 temporarily increase its size to allow for the addition of such mandato-  
2 ry members. Provided, however, that such agency size shall decrease to  
3 seven or fewer members as the seats of non-mandatory members are  
4 vacated.

5 (b) Such members may include representatives of local government  
6 [~~school~~] and business, and shall at least include a representative of a  
7 local labor organization and either a school district superintendent or  
8 a representative of a school board. A member shall continue to hold  
9 office until [~~his~~] their successor is appointed and has qualified. The  
10 governing body of each municipality shall designate the first [~~chairman~~]  
11 chairperson and file with the secretary of state a certificate of  
12 appointment or reappointment of any member. Such members shall receive  
13 no compensation for their services but shall be entitled to the neces-  
14 sary expenses, including traveling expenses, incurred in the discharge  
15 of their duties.

16 § 3. This act shall take effect on the one hundred eightieth day after  
17 it shall have become a law.