



EXCELSIOR JOBS PROGRAM - PROJECT ACTIVITY DEFINITIONS

"Manufacturing" means the process of working raw materials into products suitable for use or which gives new shapes, new quality or new combinations to matter which has already gone through some artificial process by the use of machinery, tools, appliances, or other similar equipment. "Manufacturing" does not include an operation that involves only the assembly of components, provided, however, the assembly of motor vehicles or other high value-added products shall be considered manufacturing.

"Scientific research and development" means conducting research and experimental development in the physical, engineering, and life sciences, including but not limited to agriculture, electronics, environmental, biology, botany, biotechnology, computers, chemistry, food, fisheries, forests, geology, health, mathematics, medicine, oceanography, pharmacy, physics, veterinary, and other allied subjects. For the purposes of this article, scientific research and development does not include medical or veterinary laboratory testing facilities.

"Software development" means the creation of coded computer instructions or production or post-production of video games, as defined in subdivision one-A of section six hundred eleven of the general business law, other than those embedded and used exclusively in advertising, promotional websites or microsites, and also includes new media as defined by the commissioner in regulations.

"Agriculture" means both agricultural production (establishments performing the complete farm or ranch operation, such as farm owner-operators, tenant farm operators, and sharecroppers) and agricultural support (establishments that perform one or more activities associated with farm operations, such as soil preparation, planting, harvesting, and management, on a contract fee basis).

"Back office operations" means a business function that may include one or more of the following activities: customer service, information technology and data processing, human resources, accounting and related administrative functions.

"Distribution center" means a large scale facility involving processing, repackaging and/or movement of finished or semi-finished goods to retail locations across a multi-state area. "Retail locations" includes delivery of goods directly to consumers.

"Music Production" means the process of creating sound recordings of at least eight minutes, recorded in professional sound studios, intended for commercial release. Music Production does not include recording of live concerts, or recordings that are primarily spoken word or wildlife or nature sounds, or produced for instructional use or advertising or promotional purposes.

"Entertainment Company" means a corporation, partnership, limited partnership, or other entity principally engaged in the production or post production of (I) motion pictures, which shall include feature-length films and television films, (II) instructional videos, (III) televised commercial advertisements, (IV) animated films or cartoons, (V) music videos, (VI) television programs, which shall include, but not be limited to, television series, television pilots, and single television episodes, or (VII) programs primarily intended for radio broadcast. Entertainment Company shall not include an entity (I) principally engaged in the live performance of events, including, but not limited to, theatrical productions, concerts, circuses, and sporting events, (II) principally engaged in the production of content intended primarily for industrial, corporate or institutional end-users, (III) principally engaged in the production of fundraising films or programs, or (IV) engaged in the production of content for which records are required under section 2257 of Title 18, United States Code, to be maintained with respect to any performer in such production.