S T A T E O F N E W Y O R K

1154

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. SAYWARD, BARCLAY, FINCH, ERRIGO, DUPREY -- Multi-Sponsored by -- M. of A. BACALLES, BURLING, CONTE, CROUCH, FITZPATRICK, GIGLIO, HAWLEY, MILLER, MOLINARO, O'MARA, QUINN, RAIA, SALADINO, SCOZZAFAVA, TEDISCO, TOWNSEND, WALKER -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to taxation of forest land

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

Section 1. Paragraph (a) of subdivision 1 of section 480-a of the real property tax law, as amended by chapter 396 of the laws of 2008, is amended to read as follows:

(a) "Approved management plan" shall mean:

(i) a plan approved by the department for the management of an eligible tract which shall contain requirements and standards to ensure the continuing production of a merchantable forest crop selected by the owner. Every approved management plan shall set forth requirements and standards relating to stocking, cutting, forest management access, and any specified use of the eligible tract other than for the production of a merchantable forest crop which is desired by the owner and compatible with or supportive of the continuing production of a merchantable forest crop. Such plan shall include provisions accommodating endangered and threatened animals and plants. SUCH PLAN SHALL INCLUDE PROVISIONS ACCOMMODATING GAME SPECIES. Such plan must be prepared by or under the direct supervision of a forester who may be the owner or an agent of the owner, including an industrial forester or a cooperating consultant forester; or

(ii) participation in a forest certification program (such as Forest Stewardship Council certification, Sustainable Forestry Initiative; American Tree Farm Program, etc.) recognized in the regulations of the department.

S 2. This act shall take effect immediately.

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

LBD03429-01-9