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

9468--A

I N A S S E M B L Y

(PREFILED)

January 6, 2010

Introduced by M. of A. MAGEE, ROSENTHAL -- read once and referred to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law and the environmental conservation law, in relation to establishing a maple syrup assistance program

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

Section 1. Paragraph f of subdivision 2 of section 301 of the agriculture and markets law, as separately amended by chapters 316 and 797 of the laws of 1992, is amended to read as follows:

f. Maple sap AND PURE MAPLE PRODUCTS.

S 2. Paragraph d of subdivision 9 of section 301 of the agriculture and markets law, as amended by chapter 536 of the laws of 2008, is amended to read as follows:

d. Maple syrup AND PURE MAPLE PRODUCTS processed from maple sap produced on land used in agricultural production in conjunction with the same or an otherwise qualified farm operation;

S 3. Section 16 of the agriculture and markets law is amended by adding a new subdivision 45 to read as follows:

45. ENCOURAGE AND SUPPORT THE PRODUCTION OF MAPLE SYRUP AND PURE MAPLE PRODUCTS IN THE STATE; AND, IN CONSULTATION WITH THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, ASSIST WITH THE DEVELOPMENT OF THE MAPLE SYRUP ASSISTANCE PROGRAM (MAPSAP) AS PROVIDED FOR IN SUBDIVISION ONE-A OF SECTION 9-0505 OF THE ENVIRONMENTAL CONSERVATION LAW.

S 4. Subdivision 4 of section 297 of the agriculture and markets law, as added by chapter 269 of the laws of 2000, is amended to read as follows:

4. Eligible projects. Projects involving new product development; alternative production, processing, distribution and marketing technologies; introduction of high technologies; or organizational methods that further development of the food and agriculture industry in the state shall be eligible for grant awards pursuant to the food and agriculture

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

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industry development program. Also eligible shall be projects involving farm woodland, MAPLE SAP OR PURE MAPLE PRODUCTS or fresh water aquatic products produced in either natural or man-made water bodies or in natural or man-made controlled structures. Projects that include public-private partnership investments, and with a strong potential for near-term commercial application and long-term economic value to the state and localities, shall be given priority.

S 5. Subdivision 9 of section 284 of the agriculture and markets law, as amended by chapter 639 of the laws of 2004, is amended to read as follows:

9. Establish the Hudson valley agricultural center to serve as a marketing, promotional, informational and cultural center for the Hudson river valley agricultural region and greenway and to promote the production of fruits (including juices, jellies, and preserves made therefrom), wine, cider, vegetables, MAPLE SAP AND PURE MAPLE PRODUCTS and other agricultural products.

S 6. Section 9-0505 of the environmental conservation law is amended by adding a new subdivision 1-a to read as follows:

1-A. THE COMMISSIONER, IN CONSULTATION WITH THE DEPARTMENT OF AGRICULTURE AND MARKETS, SHALL CREATE A MAPLE SYRUP ASSISTANCE PROGRAM (MAPSAP) TO PROVIDE FOR THE TAPPING OF MAPLE TREES FOR THE PRODUCTION OF SAP FROM MAPLE TREES ON ANY AREAS OUTSIDE OF THE FOREST PRESERVE COUNTIES HERETOFORE OR HEREAFTER ACQUIRED BY GIFT, PURCHASE OR APPROPRIATION AND ON ANY LANDS WITHIN THE FOREST PRESERVE COUNTIES, BUT OUTSIDE OF THE ADIRONDACK AND CATSKILL PARKS AS NOW FIXED, OR HEREAFTER EXTENDED BY LAW, HERETOFORE OR HEREAFTER ACQUIRED PURSUANT TO THIS SECTION BY THE DEPARTMENT. IN DEVELOPING THE PROGRAM, THE COMMISSIONER, IN CONSULTATION WITH THE DEPARTMENT OF AGRICULTURE AND MARKETS, SHALL INCLUDE, BUT NOT BE LIMITED TO, CONSIDERATION OF THE ACCESSIBILITY OF MAPLE TREES TO BE USED IN TAPPING AND PRODUCTION AND THE RUNNING OF SEMI-PERMANENT TUBING TO BE USED IN THE PRODUCTION OF SAP.

S 7. This act shall take effect immediately.