

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. YOUNG, BONACIC -- 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 state
assistance payments for implementation of agricultural and farmland
protection plans; and providing for the repeal of such provisions upon
expiration thereof

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

1 Section 1. Subdivision 1 of section 325 of the agriculture and markets
2 law, as amended by chapter 234 of the laws of 2010, is amended to read
3 as follows:
4 1. Subject to the availability of funds, a program is hereby estab-
5 lished to finance through state assistance payments the state share of
6 the costs of county and municipal agricultural and farmland protection
7 activities. State assistance payments for planning activities shall not
8 exceed fifty thousand dollars to each county agricultural and farmland
9 protection board or one hundred thousand dollars to two such boards
10 applying jointly, and shall not exceed fifty percent of the cost of
11 preparing an agricultural and farmland protection plan. State assistance
12 payments for planning activities shall not exceed twenty-five thousand
13 dollars to each municipality other than a county or fifty thousand
14 dollars to two such municipalities applying jointly, and shall not
15 exceed seventy-five percent of the cost of preparing an agricultural and
16 farmland protection plan. A county which has an approved farmland
17 protection plan may after one hundred twenty months from the date of
18 such approval by the commissioner apply for additional state assistance
19 payments for planning activities related to the updating of their
20 current plan or development of a new farmland protection plan. Such
21 additional state assistance payments shall not exceed fifty thousand
22 dollars to each county agricultural and farmland protection board or one

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

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1 hundred thousand dollars to two such boards applying jointly, and shall
2 not exceed fifty percent of the cost of preparing an agricultural and
3 farmland protection plan. State assistance payments for implementation
4 of approved agricultural and farmland protection plans may fund up to
5 [seventy-five] EIGHTY-FIVE percent of the cost of implementing the coun-
6 ty plan or portion of the plan for which state assistance payments are
7 requested. State assistance payments to such counties shall not exceed
8 [seventy-five] EIGHTY-FIVE percent of the cost of implementing the local
9 plan or portion of the plan for which state assistance has been
10 requested. Such maximum shall be increased by a percentage equal to the
11 percentage of the total eligible costs for such specified projects that
12 are contributed by the owner of the agricultural land for which the
13 project is being funded, provided, however, that in no event shall the
14 total of such state assistance payments exceed eighty-seven and one-half
15 percent of such eligible costs for any specified project.

16 S 2. Paragraph (b) of subdivision 2 of section 325 of the agriculture
17 and markets law, as amended by chapter 234 of the laws of 2010, is
18 amended to read as follows:

19 (b) Within a county, a municipality which has in place a local farm-
20 land protection plan may apply and shall be eligible for agricultural
21 protection state assistance payments to implement its plan, or a portion
22 of its plan, provided the proposed project is endorsed for funding by
23 the agricultural and farmland protection board for the county in which
24 the municipality is located and that any plan developed on or after
25 January first, two thousand six complies with section three hundred
26 twenty-four-a of this article. State assistance payments to such munici-
27 palities shall not exceed [seventy-five] EIGHTY-FIVE percent of the cost
28 of implementing the local plan or portion of the plan for which state
29 assistance has been requested. Such maximum shall be increased by a
30 percentage equal to the percentage of the total eligible costs for such
31 specified projects that are contributed by the owner of the agricultural
32 land for which the project is being funded; provided, however, that in
33 no event shall the total of such state assistance payments exceed eight-
34 y-seven and one-half percent of such eligible costs for any specified
35 project. The commissioner may require such information or additional
36 planning as he or she deems necessary to evaluate such a request for
37 state assistance.

38 S 3. This act shall take effect immediately and shall expire and be
39 deemed repealed three years after such effective date.