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

6425--A

2015-2016 Regular Sessions

I N A S S E M B L Y

March 24, 2015

Introduced by M. of A. MAGEE, LUPARDO, SKOUFIS, FAHY -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the county law, in relation to community and economic vitality, environment and energy, nutrition and healthy families, and youth development under a form of organization and administration approved by Cornell university

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

Section 1. Paragraph (b) of subdivision 8 of section 224 of the county law, as amended by chapter 270 of the laws of 1973, is amended to read as follows:

(b) County or regional extension service association and its work. In each county or region of two or more counties of the state which shall qualify under this subdivision to co-operate with Cornell university for extending to the people of the state of New York, not enrolled in said colleges, the educational programs of the New York State College of Agriculture and Life Sciences and the New York State College of Human Ecology at Cornell university and subjects relating thereto, in cooperation with the state, there shall be recognized and may be created a subordinate governmental agency consisting of an unincorporated organization of citizens of the respective counties interested in agriculture, [home economics and community betterment] COMMUNITY AND ECONOMIC VITALITY, ENVIRONMENT AND ENERGY, NUTRITION AND HEALTHY FAMILIES, AND YOUTH DEVELOPMENT under a form of organization and administration approved by Cornell university as agent for the state. It shall be known as a county or regional extension service association. Cooperative extension work in a county may consist of programs in the fields of agriculture, [home economics, 4-H and community betterment] COMMUNITY AND ECONOMIC VITALITY, ENVIRONMENT AND ENERGY, NUTRITION, HEALTHY FAMI-

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

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LIES AND YOUTH DEVELOPMENT. References herein to the county or regional association shall mean such an organization. Only one such [associaton] ASSOCIATION shall be recognized or formed in each county or, by formal agreement, two or more counties may join to form one regional association to serve the several counties. The instrument providing its form of organization and administration shall be deemed its constitution. It shall have a board of directors and the offices of president and treasurer, to be constituted and filled as provided in such constitution, which also shall regulate admission to and tenure of enrollment in the organization. The board of directors of any such association heretofore or hereafter created may adopt such regulations and by-laws governing its procedure in the work assigned to it as are not inconsistent with the provisions of this subdivision. Subject to such rules and regulations and the constitution so approved, the president of the association shall act for, as and in the name of the association in all matters except those as to which the treasurer is given powers and duties. Civil actions or proceedings may be brought by or against the president or treasurer, as such, of the association. A judgment against them or either of them shall be enforceable only against funds or property of the association. Such an association is hereby declared to be a subordinate governmental agency and neither the county nor Cornell university nor any member, officer or director of the association shall be liable in damages for any injury to person or property in connection with the activities of the association the proximate cause of which was not directly their or his fault or negligence.

S 2. Paragraph (d) of subdivision 8 of section 224 of the county law, as amended by chapter 621 of the laws of 1997, is amended to read as follows:

(d) For the support of cooperative extension programs and subject to annual appropriation by the legislature, there shall be annually apportioned to each county cooperative extension association out of any moneys in the state treasury appropriated therefor, fifty cents for each dollar up to the first one hundred thousand dollars appropriated by such county for cooperative extension activities during the state fiscal year most recently ended and five cents for each dollar appropriated by such county for cooperative extension activities in excess of one hundred thousand dollars during the state fiscal year most recently ended. In the case of a regional extension service association authorized by this section, the maximum amount to be apportioned to any such association shall be the sum of the maximum apportionments which would have accrued to a separate association in each county included in the region. No county cooperative extension association shall receive an apportionment of funds under this section in an amount less than had been received in the nineteen hundred ninety-five--ninety-six state fiscal year, provided that the annual state appropriation is not less than the state moneys appropriated in the nineteen hundred ninety-five--ninety-six state fiscal year. ADDITIONAL STATE ALLOCATIONS SHALL BE DISTRIBUTED TO THE COUNTY ASSOCIATIONS IN A PERCENTAGE PROPORTIONATE TO THEIR MOST RECENT COUNTY APPROPRIATION, SUCH APPROPRIATION NOT TO INCLUDE ANY AMOUNT ATTRIBUTED TO IN-KIND CONTRIBUTIONS, SERVICE AGREEMENTS, OR CONTRACTS.

1. The entitlement of each association to state moneys annually appropriated under this chapter is subject to the furnishing of equivalent sums from county appropriations. ANNUAL COUNTY APPROPRIATIONS MAY INCLUDE IN-KIND CONTRIBUTIONS, SERVICE AGREEMENTS, AND CONTRACTS WITH COOPERATIVE EXTENSION ASSOCIATIONS SUBJECT TO REVIEW BY CORNELL UNIVERSITY.

2. The apportionments provided pursuant to provisions of this paragraph shall be rounded to the nearest whole dollar.

3. The state apportionments provided for in this subdivision shall be paid upon vouchers certified by Cornell university as follows:

(i) For salaries of professional staff employed by the association;

(ii) For salaries of staff employed by Cornell university when administering, furnishing or conducting extension programs benefiting the county under agreement with the association.

4. All such payments shall be made in accordance with the annual agreement between the association and Cornell university, which shall:

(i) Specify the amount in dollars to be expended for each of such purposes and the amount in dollars to be provided from apportionments pursuant to this subdivision;

(ii) Identify by titles the positions for which the salary is paid;

(iii) In the case of salaries of agents jointly employed by two or more county associations, and in the case of salaries of agents or other personnel employed by Cornell university, in furnishing or conducting programs which are furnished or conducted in or for the benefit of two or more counties, identify each of the county extension service associations against whose account payments pursuant to this subdivision are to be charged and the amount to be charged.

S 3. Paragraph (e) of subdivision 8 of section 224 of the county law is amended by adding a new subparagraph 7 to read as follows:

(7) IN SUPPORT OF ITS OPERATIONS, RESEARCH AND EDUCATIONAL PROGRAMMING NEEDS, AN ASSOCIATION MAY CONTRACT WITH ONE OR MORE ENTITIES, INCLUDING BUT NOT LIMITED TO FEDERAL, STATE, OR LOCAL GOVERNMENT, NOT FOR PROFITS OR FOR PROFIT ORGANIZATIONS TO PROVIDE SERVICES, COMPENSATED OR UNCOMPENSATED, CONSISTENT WITH THIS SECTION. SUCH CONTRACTS ARE SUBJECT TO REVIEW BY CORNELL UNIVERSITY.

S 4. This act shall take effect immediately.