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

9940--A

I N A S S E M B L Y

May 2, 2016

Introduced by M. of A. MAGEE -- (at request of the Department of Agriculture and Markets) -- read once and referred to the Committee on Agriculture -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to the misuse of federal food stamps; to amend the agriculture and markets law, in relation to agricultural districts law improvements; to repeal article 12 of the agriculture and markets law, relating to the manufacture and sale of adulterated turpentine and linseed oil; to repeal section 149 of the agriculture and markets law, relating to the interstate pest control compact; and to repeal section 214-k of the agriculture and markets law, relating to the sale and labeling of charcoal

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

Section 1. Article 12 of the agriculture and markets law is REPEALED.

S 2. Section 149 of the agriculture and markets law is REPEALED.

S 3. Section 214-k of the agriculture and markets law is REPEALED.

S 4. Section 45-b of the agriculture and markets law, as added by chapter 1031 of the laws of 1965, is amended to read as follows:

S 45-b. Unauthorized possession, sale, or exchange of [food order stamps] SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS issued under [food stamp plan] SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM. Any person, other than a person authorized by the regulations and conditions prescribed by the secretary of agriculture of the United States governing the [food stamp plan] SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, who shall have in his OR HER possession, or who shall purchase, sell or exchange any [food stamps, books, book covers] SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS or any other instruments or documents relating to [food stamps] SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS, for money or for any article or articles other than those foods authorized by the regulations and conditions prescribed by the secretary of agriculture of the United States governing the [food stamp plan] SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, or for food the value of which is

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

LBD14158-02-6

less than the [face] amount of such [food stamps] SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS, or in any other manner in violation of [the] STATE AND FEDERAL LAW OR regulations and conditions prescribed by the secretary of agriculture of the United States governing the [food stamp plan] SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM, shall be guilty of a misdemeanor. As used herein, the word "person" shall mean any individual, partnership, corporation, or association, whether or not such individual, partnership, corporation or association is eligible to participate or is participating in the [food stamp plan] SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

S 5. Paragraph m of subdivision 4 of section 301 of the agriculture and markets law, as added by chapter 547 of the laws of 2014, is amended to read as follows:

m. Land used in silvopasturing, WHICH IS PART OF A SINGLE OPERATION THAT OTHERWISE SATISFIES THE REQUIREMENTS FOR ELIGIBILITY FOR AN AGRICULTURAL ASSESSMENT, shall be limited to up to ten fenced acres per large livestock, including cattle, horses and camelids, and up to five fenced acres per small livestock, such as sheep, hogs, goats and poultry. For the purposes of this subdivision, "silvopasturing" shall mean the intentional combination of trees, forages and livestock managed as a single integrated practice for the collective benefit of each, including the planting of appropriate grasses and legume forages among trees for sound grazing and livestock husbandry.

S 6. Subdivision 4 of section 301 of the agriculture and markets law is amended by adding a new paragraph n to read as follows:

N. LAND, WHICH IS PART OF A SINGLE OPERATION THAT OTHERWISE SATISFIES THE REQUIREMENTS FOR AN AGRICULTURAL ASSESSMENT, AND IS USED FOR THE PRODUCTION FOR SALE OF CROPS, LIVESTOCK OR LIVESTOCK PRODUCTS DURING THE TWELVE MONTHS PRECEDING THE APPLICABLE TAXABLE STATUS DATE.

S 7. This act shall take effect immediately and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such date.