

4240

2015-2016 Regular Sessions

I N S E N A T E

March 11, 2015

Introduced by Sen. RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the county law, in relation to community and economic vitality, nutrition and healthy families, and 4-H/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:

1 Section 1. Paragraph (b) of subdivision 8 of section 224 of the county
2 law, as amended by chapter 270 of the laws of 1973, is amended to read
3 as follows:
4 (b) County or regional extension service association and its work. In
5 each county or region of two or more counties of the state which shall
6 qualify under this subdivision to co-operate with Cornell university for
7 extending to the people of the state of New York, not enrolled in said
8 colleges, the educational programs of the New York State College of
9 Agriculture and Life Sciences and the New York State College of Human
10 Ecology at Cornell university and subjects relating thereto, in cooper-
11 ation with the state, there shall be recognized and may be created a
12 subordinate governmental agency consisting of an unincorporated organ-
13 ization of citizens of the respective counties interested in agricul-
14 ture, [home economics and community betterment] COMMUNITY AND ECONOMIC
15 VITALITY, NUTRITION AND HEALTHY FAMILIES, AND 4-H/YOUTH DEVELOPMENT
16 under a form of organization and administration approved by Cornell
17 university as agent for the state. It shall be known as a county or
18 regional extension service association. Cooperative extension work in a
19 county may consist of programs in the fields of agriculture, [home
20 economics, 4-H and community betterment] COMMUNITY AND ECONOMIC VITALI-
21 TY, NUTRITION, HEALTHY FAMILIES AND 4-H/YOUTH DEVELOPMENT. References
22 herein to the county or regional association shall mean such an organ-
23 ization. Only one such [associaton] ASSOCIATION shall be recognized or

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

LBD09793-02-5

1 formed in each county or, by formal agreement, two or more counties may
2 join to form one regional association to serve the several counties. The
3 instrument providing its form of organization and administration shall
4 be deemed its constitution. It shall have a board of directors and the
5 offices of president and treasurer, to be constituted and filled as
6 provided in such constitution, which also shall regulate admission to
7 and tenure of enrollment in the organization. The board of directors of
8 any such association heretofore or hereafter created may adopt such
9 regulations and by-laws governing its procedure in the work assigned to
10 it as are not inconsistent with the provisions of this subdivision.
11 Subject to such rules and regulations and the constitution so approved,
12 the president of the association shall act for, as and in the name of
13 the association in all matters except those as to which the treasurer is
14 given powers and duties. Civil actions or proceedings may be brought by
15 or against the president or treasurer, as such, of the association. A
16 judgment against them or either of them shall be enforceable only
17 against funds or property of the association. Such an association is
18 hereby declared to be a subordinate governmental agency and neither the
19 county nor Cornell university nor any member, officer or director of the
20 association shall be liable in damages for any injury to person or prop-
21 erty in connection with the activities of the association the proximate
22 cause of which was not directly their or his fault or negligence.

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

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

48 1. The entitlement of each association to state moneys annually appro-
49 priated under this chapter is subject to the furnishing of equivalent
50 sums from county appropriations. ANNUAL COUNTY APPROPRIATIONS MAY
51 INCLUDE IN-KIND CONTRIBUTIONS, SERVICE AGREEMENTS, AND CONTRACTS WITH
52 COOPERATIVE EXTENSION ASSOCIATIONS SUBJECT TO REVIEW BY CORNELL UNIVER-
53 SITY.

54 2. The apportionments provided pursuant to provisions of this para-
55 graph shall be rounded to the nearest whole dollar.

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

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

4 (ii) For salaries of staff employed by Cornell university when admin-
5 istering, furnishing or conducting extension programs benefiting the
6 county under agreement with the association.

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

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

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

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

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

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

28 S 4. This act shall take effect immediately.