

STATE OF NEW YORK

7937

IN SENATE

March 12, 2018

Introduced by Sen. 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 appropriation and apportionment of moneys for the promotion of agriculture and domestic arts in the county of Orange

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 286 of the agriculture and markets law, as amended
2 by chapter 61 of the laws of 1954, the section heading and subdivision 1
3 as amended by and subdivisions 2, 3, 4, and 5 as added by chapter 683 of
4 the laws of 2002, is amended to read as follows:

5 § 286. Appropriation and apportionment of moneys for the promotion of
6 agriculture and domestic arts. 1. There shall be appropriated annually
7 for the department of agriculture and markets an amount of money suffi-
8 cient to pay and satisfy the reimbursement moneys herein specified and
9 which money shall be disbursed by the commissioner on behalf of the
10 state for the promotion of agriculture and domestic arts, to duly incor-
11 porated agricultural or horticultural corporations as defined in section
12 fourteen hundred nine of the not-for-profit corporation law, the county
13 extension service association in the county of Orange, the American
14 institute in the city of New York, the Goshen Historic Track, Inc., the
15 Genesee Valley Breeders' Association, Inc. and county extension service
16 associations in proportion to the actual premiums paid during the previ-
17 ous year including premiums paid for trials or tests of speed and endur-
18 ance of harness horses.

19 2. Eligibility. (a) To qualify for premium reimbursement under this
20 section, agricultural and horticultural corporations, the county exten-
21 sion service association in the county of Orange, the American institute
22 in the city of New York, the Goshen Historic Track, Inc. and the Genesee
23 Valley Breeders' Association, Inc. must have held, with the approval of
24 the commissioner, an annual fair or exposition for the promotion of
25 agriculture and domestic arts during the previous calendar year, paid at
26 least five thousand dollars in actual premiums and filed an annual
27 report as required in paragraph (c) of this subdivision.

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

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1 (b) To qualify for premium reimbursement under this section a county
2 extension service association must have held, with the approval of the
3 commissioner, a fair or exposition for the promotion of agriculture and
4 domestic arts during the previous calendar year open to all youths in
5 that county up to age twenty-one. [A] Except for the county extension
6 service association in the county of Orange, a county extension service
7 association may not receive reimbursement for a fair or exposition in a
8 county where an agricultural or horticultural corporation or the Ameri-
9 can institute in the city of New York has held such a fair or exposition
10 during the past two years. A county extension service association must
11 have paid at least five hundred dollars in actual premiums and filed an
12 annual report as required in paragraph (c) of this subdivision.

13 (c) All organizations eligible to receive moneys appropriated by the
14 state pursuant to this section shall file with the Department an annual
15 report on or before the fifteenth day of December. The report shall list
16 all premiums awarded during the calendar year and the exhibits for which
17 the premiums were awarded.

18 3. Reimbursement amounts. (a) Each organization eligible for premium
19 reimbursement pursuant to paragraph (a) of subdivision two of this
20 section shall receive seven thousand two hundred dollars or the amount
21 actually paid out in premiums, whichever is less. Each organization that
22 has paid out more than seven thousand two hundred dollars shall also be
23 eligible to receive an additional reimbursement equal to the premiums
24 paid in its youth department, not to exceed one thousand five hundred
25 dollars.

26 (b) Each eligible cooperative extension association shall receive five
27 thousand dollars or the amount actually paid out in premiums, whichever
28 is less.

29 (c) After reimbursements have been allocated pursuant to paragraphs
30 (a) and (b) of this subdivision, the remaining appropriation, if any,
31 shall be distributed in equal shares to the agricultural or horticultur-
32 al corporations, the county extension service association in the county
33 of Orange, the American institute in the city of New York, the Goshen
34 Historic Track, Inc. and the Genesee Valley Breeders' Association, Inc.
35 if they have not been fully reimbursed as a result of the allocations
36 set forth above. The American institute in the city of New York, if
37 eligible, shall receive two shares of the pro-rated amount.

38 (d) In no event shall any agricultural or horticultural corporation,
39 the county extension service association in the county of Orange, the
40 American institute in the city of New York, the Goshen Historic Track,
41 Inc. or the Genesee Valley Breeders' Association, Inc. receive more than
42 the amount actually paid out in premiums or twelve thousand dollars,
43 whichever is less.

44 4. Any organization that shall fail or neglect to hold an annual fair
45 or exposition and file its annual report for two consecutive years,
46 shall forfeit any privileges or money to which it may otherwise be enti-
47 tled pursuant to the provisions of this article. In computing such peri-
48 od of two consecutive years, no year shall be counted in which such
49 failure was deemed by the commissioner to be attributable to a cause or
50 condition with respect to which the organization or its directors or
51 officers had no control, or for any other reason which the commissioner
52 deems justified.

53 5. For the purposes of this article, Rockland County Future, Inc.
54 shall be eligible for premium reimbursement, as provided in paragraph
55 (a) of subdivision three of this section so long as such organization
56 has held, with the approval of the commissioner, an annual fair or expo-

1 sition for the promotion of agriculture and domestic arts in conjunction
2 with a county extension service association during the previous calendar
3 year; paid at least five thousand dollars in actual premiums; and filed
4 an annual report as required in paragraph (c) of subdivision two of this
5 section.

6 § 2. This act shall take effect immediately.