

# STATE OF NEW YORK

2079

2019-2020 Regular Sessions

## IN ASSEMBLY

January 22, 2019

Introduced by M. of A. GUNTHER -- read once and referred 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

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

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1 agriculture and domestic arts during the previous calendar year, paid at  
2 least five thousand dollars in actual premiums and filed an annual  
3 report as required in paragraph (c) of this subdivision.

4 (b) To qualify for premium reimbursement under this section a county  
5 extension service association must have held, with the approval of the  
6 commissioner, a fair or exposition for the promotion of agriculture and  
7 domestic arts during the previous calendar year open to all youths in  
8 that county up to age twenty-one. [A] Except for the county extension

9 service association in the county of Orange, a county extension service  
10 association may not receive reimbursement for a fair or exposition in a  
11 county where an agricultural or horticultural corporation or the Ameri-  
12 can institute in the city of New York has held such a fair or exposition  
13 during the past two years. A county extension service association must  
14 have paid at least five hundred dollars in actual premiums and filed an  
15 annual report as required in paragraph (c) of this subdivision.

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

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

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

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

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

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

1 5. For the purposes of this article, Rockland County Future, Inc.  
2 shall be eligible for premium reimbursement, as provided in paragraph  
3 (a) of subdivision three of this section so long as such organization  
4 has held, with the approval of the commissioner, an annual fair or expo-  
5 sition for the promotion of agriculture and domestic arts in conjunction  
6 with a county extension service association during the previous calendar  
7 year; paid at least five thousand dollars in actual premiums; and filed  
8 an annual report as required in paragraph (c) of subdivision two of this  
9 section.

10 § 2. This act shall take effect immediately.