

# STATE OF NEW YORK

---

4798

2019-2020 Regular Sessions

## IN SENATE

March 26, 2019

---

Introduced by Sen. JORDAN -- 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 state assistance payments for implementation of agricultural and farmland protection plans; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Subdivision 1 of section 325 of the agriculture and markets  
2 law, as amended by chapter 150 of the laws of 2013, is amended to read  
3 as follows:

4 1. Subject to the availability of funds, a program is hereby estab-  
5 lished to finance through state assistance payments the state share of  
6 the costs of locally-led agricultural and farmland protection activ-  
7 ities. State assistance payments for planning activities shall not  
8 exceed fifty thousand dollars to each county agricultural and farmland  
9 protection board or one hundred thousand dollars to two such boards  
10 applying jointly, and shall not exceed fifty percent of the cost of  
11 preparing an agricultural and farmland protection plan. State assistance  
12 payments for planning activities shall not exceed twenty-five thousand  
13 dollars to each municipality other than a county or fifty thousand  
14 dollars to two such municipalities applying jointly, and shall not  
15 exceed seventy-five percent of the cost of preparing an agricultural and  
16 farmland protection plan. A county which has an approved farmland  
17 protection plan may after one hundred twenty months from the date of  
18 such approval by the commissioner apply for additional state assistance  
19 payments for planning activities related to the updating of their  
20 current plan or development of a new farmland protection plan. Such  
21 additional state assistance payments shall not exceed fifty thousand  
22 dollars to each county agricultural and farmland protection board or one  
23 hundred thousand dollars to two such boards applying jointly, and shall

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

LBD04126-01-9

1 not exceed fifty percent of the cost of preparing an agricultural and  
2 farmland protection plan. State assistance payments for implementation  
3 of approved agricultural and farmland protection plans may fund up to  
4 ~~[seventy-five]~~ eighty-five percent of the cost of implementing the coun-  
5 ty plan or portion of the plan for which state assistance payments are  
6 requested. State assistance payments to such counties shall not exceed  
7 ~~[seventy-five]~~ eighty-five percent of the cost of implementing the local  
8 plan or portion of the plan for which state assistance has been  
9 requested. Such maximum shall be increased by a percentage equal to the  
10 percentage of the total eligible costs for such specified projects that  
11 are contributed by the owner of the agricultural land for which the  
12 project is being funded, provided, however, that in no event shall the  
13 total of such state assistance payments exceed eighty-seven and one-half  
14 percent of such eligible costs for any specified project.

15 § 2. Paragraph (b) of subdivision 2 of section 325 of the agriculture  
16 and markets law, as amended by chapter 234 of the laws of 2010, is  
17 amended to read as follows:

18 (b) Within a county, a municipality which has in place a local farm-  
19 land protection plan may apply and shall be eligible for agricultural  
20 protection state assistance payments to implement its plan, or a portion  
21 of its plan, provided the proposed project is endorsed for funding by  
22 the agricultural and farmland protection board for the county in which  
23 the municipality is located and that any plan developed on or after  
24 January first, two thousand six complies with section three hundred  
25 twenty-four-a of this article. State assistance payments to such munici-  
26 palities shall not exceed ~~[seventy-five]~~ eighty-five percent of the cost  
27 of implementing the local plan or portion of the plan for which state  
28 assistance has been requested. Such maximum shall be increased by a  
29 percentage equal to the percentage of the total eligible costs for such  
30 specified projects that are contributed by the owner of the agricultural  
31 land for which the project is being funded; provided, however, that in  
32 no event shall the total of such state assistance payments exceed eight-  
33 y-seven and one-half percent of such eligible costs for any specified  
34 project. The commissioner may require such information or additional  
35 planning as he or she deems necessary to evaluate such a request for  
36 state assistance.

37 § 3. This act shall take effect immediately and shall expire and be  
38 deemed repealed three years after such effective date.