

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

S

1

SENATE BILL 846*

Short Title: NC Farmland Preservation Trust Fund. (Public)

Sponsors: Senators Albertson; and Atwater.

Referred to: Appropriations/Base Budget.

March 25, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT THE NORTH CAROLINA AGRICULTURAL
3 DEVELOPMENT AND FARMLAND PRESERVATION TRUST FUND IS A
4 NONREVERTING ACCOUNT, TO MAKE A CHANGE TO THE MEMBERSHIP OF
5 THE ADVISORY COMMITTEE FOR THE TRUST FUND, AND TO MAKE
6 TECHNICAL CHANGES.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 106-744(c) reads as rewritten:

9 "(c) There is established a "North Carolina Agricultural Development and Farmland
10 Preservation Trust Fund" to be a nonreverting account that is administered by the
11 Commissioner of Agriculture. The Trust Fund shall consist of all monies received for the
12 purpose of purchasing agricultural conservation easements or funding programs that promote
13 the development and sustainability of farming and assist in the transition of existing farms to
14 new farm families, or monies transferred from counties or private sources. The Trust Fund shall
15 be invested as provided in G.S. 147-69.2 and G.S. 147-69.3. The Commissioner shall use Trust
16 Fund monies for any of the ~~following~~following purposes:

- 17 (1) ~~The~~For the purchase of agricultural conservation easements, including
18 transaction costs.
19 (2) ~~Public~~For the costs of public and private enterprise programs that will
20 promote profitable and sustainable family farms through assistance to
21 farmers in developing and implementing plans for the production of food,
22 fiber, and value-added products, agritourism activities, marketing and sales
23 of agricultural products produced on the farm, and other agriculturally
24 related business activities.
25 (3) To fund conservation agreements to bring into or maintain farmland in
26 active production of food, fiber, and other agricultural products.
27 (4) ~~The~~For the costs of administering the program under this Article, including
28 the cost of staff and staff support."

29 **SECTION 2.** G.S. 106-744(c1) reads as rewritten:

30 "(c1) The Commissioner shall distribute Trust Fund monies for ~~such purchases, only the~~
31 purposes under subsection (c) of this section, including transaction costs, as follows:

- 32 (1) To a private nonprofit conservation organization that matches thirty percent
33 (30%) of the Trust Fund monies it receives with funds from sources other
34 than the Trust Fund.
35 (2) To counties according to the match requirements under subsection (c2) of
36 this section."

37 **SECTION 3.** G.S. 106-744(g)(11) reads as rewritten:



1 "(11) ~~The Director of the Southeast Regional Office of the American Farmland~~
2 ~~Trust or the~~ The Executive Director of the Rural Advancement Foundation
3 International – USA or the Executive Director's designee."

4 **SECTION 4.** This act is effective when it becomes law and the change in
5 membership of the Agricultural Development and Farmland Preservation Trust Fund Advisory
6 Committee under G.S. 106-744, as amended by Section 3 of this act, shall occur prior to the
7 next quarterly meeting of the Advisory Committee that occurs on or after that date.