

4520

2013-2014 Regular Sessions

I N S E N A T E

April 8, 2013

Introduced by Sen. TKACZYK -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the state finance law, in relation to a small farm modernization revolving loan fund

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. The state finance law is amended by adding a new section
2 97-u to read as follows:
3 S 97-U. SMALL FARM MODERNIZATION REVOLVING LOAN FUND. 1. THERE IS
4 HEREBY ESTABLISHED IN THE JOINT CUSTODY OF THE COMPTROLLER AND THE
5 COMMISSIONER OF TAXATION AND FINANCE A FUND TO BE KNOWN AS THE SMALL
6 FARM MODERNIZATION REVOLVING LOAN FUND. SUCH FUND SHALL CONSIST OF
7 MONEYS MADE AVAILABLE PURSUANT TO APPROPRIATION NOT TO EXCEED FIVE
8 MILLION DOLLARS AND ANY OTHER SOURCES IN ORDER TO PROVIDE SUPPORT FOR
9 MODERNIZATION OF SMALL FARMS.
10 2. MONEYS OF THE FUND MAY BE EXPENDED IN ACCORDANCE WITH THIS SECTION.
11 MONEYS SHALL BE PAID OUT OF THE FUND ON THE AUDIT AND WARRANT OF THE
12 STATE COMPTROLLER PURSUANT TO THIS SECTION.
13 3. THE STATE COMPTROLLER IS AUTHORIZED TO PROVIDE LOANS FROM THIS FUND
14 TO ANY SMALL FARM OWNER IN RECEIPT OF A WRITTEN STATEMENT FROM THE
15 DEPARTMENT OF AGRICULTURE AND MARKETS INDICATING THAT SUCH PERSON'S FARM
16 CONSTITUTES A SMALL FARM. THE STATE COMPTROLLER MAY PROVIDE SUCH A LOAN
17 TO A SMALL FARM OWNER UPON RECEIPT OF A WRITTEN AGREEMENT PROVIDING
18 REASONABLE ASSURANCES OF REPAYMENT THAT IS SATISFACTORY TO THE COMP-
19 TROLLER. SUCH LOAN SHALL BEAR INTEREST AT A BELOW-MARKET RATE AND REPAY-
20 MENT OF SUCH LOAN MAY BE PRORATED OVER THE TERM OF THE EXPECTED OR
21 RENEWAL CONTRACT, PROVIDED THE TERM OF THE LOAN DOES NOT EXCEED THREE
22 YEARS. THE AMOUNT OF EACH SUCH LOAN SHALL NOT EXCEED TWENTY-FIVE THOU-
23 SAND DOLLARS.
24 4. THE STATE COMPTROLLER SHALL ONLY MAKE LOANS AFTER FINDING THAT THE
25 SMALL FARM OWNER WILL USE THE FUNDS EXCLUSIVELY FOR THE PURPOSE OF

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

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1 MODERNIZING HIS OR HER FARM. THE COMPTROLLER SHALL ESTABLISH ACCEPTABLE
2 FORMS OF PROOF THAT A SMALL FARM OWNER MAY SUBMIT TO BE ELIGIBLE TO
3 RECEIVE A LOAN PURSUANT TO THIS SECTION.

4 5. THE STATE COMPTROLLER SHALL PROMULGATE RULES AND REGULATIONS WITHIN
5 NINETY DAYS OF THE EFFECTIVE DATE OF THIS SECTION FOR THE OPERATION OF
6 THE SMALL FARM MODERNIZATION REVOLVING LOAN FUND WHICH SHALL INCLUDE,
7 BUT NOT BE LIMITED TO, THE PROCEDURE AND ANY NECESSARY INFORMATION THAT
8 SMALL FARM OWNERS NEED TO SUBMIT IN CONNECTION WITH AN APPLICATION FOR A
9 LOAN FROM THE SMALL FARM MODERNIZATION REVOLVING LOAN FUND; A SCHEDULE
10 FOR REVIEWING SUCH APPLICATIONS, NOT TO EXCEED THIRTY DAYS, AND NOTIFI-
11 CATION TO AN APPLICANT OF APPROVAL OR DISAPPROVAL OF SUCH APPLICATION,
12 AND ANY OTHER REQUIREMENTS DEEMED NECESSARY BY THE STATE COMPTROLLER.

13 6. ANY SMALL FARM OWNER RECEIVING A LOAN FROM THE SMALL FARM MODERN-
14 IZATION REVOLVING LOAN FUND SHALL BE INELIGIBLE TO RECEIVE INTEREST OR
15 ADVANCE PAYMENTS FROM A STATE AGENCY.

16 S 2. This act shall take effect on the one hundred eightieth day after
17 it shall have become a law.