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I N A S S E M B L Y

April 8, 2014

Introduced by M. of A. MAGEE, CROUCH, FINCH, GUNTHER, HAWLEY, OTIS, ROSENTHAL, RUSSELL, SKOUFIS, STIRPE, JAFFEE, MAGNARELLI, MONTESANO, PEOPLES-STOKES, TITONE, BRONSON -- Multi-Sponsored by -- M. of A. BARCLAY, BUTLER, CAMARA, CERETTO, COOK, DUPREY, GOTTFRIED, KEARNS, LUPARDO, LUPINACCI, McLAUGHLIN, ROBINSON, SIMANOWITZ, THIELE, WEISENBERG -- read once and referred to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to the beginning farmer revolving loan fund program

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

1 Section 1. Section 328 of the agriculture and markets law is amended
2 by adding a new subdivision 5 to read as follows:

3 5. "BEGINNING FARMER" SHALL MEAN A FARMER WHO HAS NOT PRODUCED AN
4 "AGRICULTURAL PRODUCT" AS DEFINED IN THIS SECTION, FOR MORE THAN TEN
5 CONSECUTIVE YEARS, AND WHO WILL MATERIALLY AND SUBSTANTIALLY PARTICIPATE
6 IN THE PRODUCTION OF AN AGRICULTURAL PRODUCT WITHIN A REGION OF THE
7 STATE.

8 S 2. The agriculture and markets law is amended by adding a new
9 section 330-a to read as follows:

10 S 330-A. BEGINNING FARMER REVOLVING LOAN PROGRAM. 1. THE COMMISSIONER
11 SHALL ESTABLISH AND MAINTAIN A BEGINNING FARMER REVOLVING LOAN PROGRAM
12 TO PROVIDE LOW INTEREST LOANS TO BEGINNING FARMERS FOR THE PURPOSES OF
13 SUPPORTING BEGINNING FARMERS, ENCOURAGING THE GROWTH OF SMALL AGRIBUSI-
14 NESS, PRESERVING FARMLAND AS A WORKING AGRICULTURAL LANDSCAPE, AND
15 PROVIDING OPEN SPACE BENEFITS FOR ALL RESIDENTS OF THE STATE. PROPERLY
16 MANAGED FARMLAND HAS BEEN DEMONSTRATED TO BE THE BEST ENVIRONMENTAL
17 USAGE OF LAND FOR WATERSHED PROTECTION, SO IT IS IN THE BEST INTEREST OF
18 THE STATE TO MAINTAIN AGRICULTURAL LAND. SUCH PROGRAM SHALL, FROM ANY
19 APPROPRIATION MADE AVAILABLE FOR THIS PURPOSE, PROVIDE LOW INTEREST
20 LOANS TO BEGINNING FARMERS AS THE COMMISSIONER SHALL DEEM TO BE ELIGIBLE
21 PURSUANT TO RULE OR REGULATION.

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

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1 2. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS FOR THE
2 PURPOSE OF CARRYING OUT THE PROVISIONS OF THIS SECTION, INCLUDING ESTAB-
3 LISHING:
4 A. AN APPLICATION PROCESS WHEREBY BEGINNING FARMERS MAY APPLY FOR
5 LOANS;
6 B. CRITERIA AND STANDARDS FOR DETERMINING A BEGINNING FARMER'S ELIGI-
7 BILITY FOR A LOAN;
8 C. CRITERIA AND STANDARDS FOR DETERMINING THE PRIORITY TO BE GRANTED
9 AMONG BEGINNING FARMER APPLICANTS;
10 D. CRITERIA AND STANDARDS FOR DETERMINING THE AMOUNT OF FINANCIAL
11 ASSISTANCE TO BE PROVIDED TO A BEGINNING FARMER; AND
12 E. CRITERIA AND STANDARDS TO BE USED IN DETERMINING THE LOAN REPAYMENT
13 PERIODS AND THE TERMS OF ANY REPAYMENT AGREEMENT.
14 S 3. This act shall take effect on the first of April next succeeding
15 the date on which it shall have become a law; provided, however, that
16 any rules and regulations necessary to implement the provisions of this
17 act on its effective date are authorized to be made on or before such
18 date.