S T A T E O F N E W Y O R K

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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:

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

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

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

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

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

LBD13525-02-4

2. THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS FOR THE PURPOSE OF CARRYING OUT THE PROVISIONS OF THIS SECTION, INCLUDING ESTABLISHING:

A. AN APPLICATION PROCESS WHEREBY BEGINNING FARMERS MAY APPLY FOR LOANS;

B. CRITERIA AND STANDARDS FOR DETERMINING A BEGINNING FARMER'S ELIGIBILITY FOR A LOAN;

C. CRITERIA AND STANDARDS FOR DETERMINING THE PRIORITY TO BE GRANTED AMONG BEGINNING FARMER APPLICANTS;

D. CRITERIA AND STANDARDS FOR DETERMINING THE AMOUNT OF FINANCIAL ASSISTANCE TO BE PROVIDED TO A BEGINNING FARMER; AND

E. CRITERIA AND STANDARDS TO BE USED IN DETERMINING THE LOAN REPAYMENT PERIODS AND THE TERMS OF ANY REPAYMENT AGREEMENT.

S 3. This act shall take effect on the first of April next succeeding the date on which it shall have become a law; provided, however, that any rules and regulations necessary to implement the provisions of this act on its effective date are authorized to be made on or before such date.