

STATE OF NEW YORK

4567

2017-2018 Regular Sessions

IN ASSEMBLY

February 3, 2017

Introduced by M. of A. SANTABARBARA -- read once and referred to the
Committee on Agriculture

AN ACT to amend the agriculture and markets law and the New York state
urban development corporation act, in relation to creating a farm
investment fund

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

1 Section 1. Section 16 of the agriculture and markets law is amended by
2 adding a new subdivision 49 to read as follows:

3 49. Cooperate with the empire state development corporation to develop
4 a farm investment fund program to provide grants to farmers for the
5 purposes of making investments in their farm and farm practices, includ-
6 ing, but not limited to, infrastructure, equipment and marketing of farm
7 products. Such investments may also include updating and improving agri-
8 cultural environmental management, as defined in article eleven-A of
9 this chapter, practices, equipment and infrastructure. Farm investment
10 is especially important for farms that are being transitioned from long-
11 time owners to new owners and beginning farmers.

12 § 2. Section 1 of chapter 174 of the laws of 1968, constituting the
13 New York state urban development corporation act, is amended by adding a
14 new section 16-aa to read as follows:

15 § 16-aa. Farm investment fund. 1. The farm investment fund is hereby
16 created. The purpose of the farm investment fund is to make grants to
17 eligible applicants for investments in their farm and farm practices,
18 including, but not limited to, infrastructure, equipment and marketing
19 of farm products. Such investment may also include updating and improv-
20 ing agricultural environmental management, as defined in article
21 eleven-A of the agriculture and markets law, practices, equipment and
22 infrastructure. Farm investment is especially important for farms that
23 are being transitioned from long-time owners to new owners and beginning
24 farmers.

25 2. The corporation shall consult with the department of agriculture
26 and markets in order to establish such criteria governing the award of
27 grants as authorized by this section, as the corporation and such

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

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1 department deem necessary. Such criteria shall include, but not be
2 limited to:

3 (a) farmers who will materially and substantially participate in the
4 production of an agricultural product within a region of the state;

5 (b) farmers who demonstrate innovative plans for investing in their
6 farms that would result in the growth of business within the state and
7 the concomitant creation of jobs and tax revenues for the state; and

8 (c) farmers who have developed a formal business plan.

9 3. The corporation shall establish a competitive rating process for
10 the evaluation of applicants for the farm investment fund. Such rating
11 criteria to be considered for eligibility include, but are not limited
12 to:

13 (a) plans that show concrete steps for growth, protection of assets
14 and sales development;

15 (b) education, including a post secondary degree in an agriculture
16 related field of study or online training; and

17 (c) experience working on a farm.

18 The corporation may give preference to veterans, those transferring a
19 family farm to a new farmer and to farmers expanding an existing farm.
20 When awarding funds pursuant to this section, the corporation shall
21 ensure that applicants meet the criteria and requirements established by
22 the corporation pursuant to this section.

23 4. The farm investment fund shall not invest an amount in any single
24 beneficiary that exceeds fifty thousand dollars, subject to any
25 exceptions to be established by guidelines of the corporation.

26 5. Notwithstanding any provision of law to the contrary, the corpo-
27 ration may establish a program fund for program use and pay into such
28 fund any eligible funds available to the corporation from any source,
29 including moneys appropriated by the state.

30 6. The corporation shall submit a report annually on December thirty-
31 first to the director of the budget, the temporary president of the
32 senate, the speaker of the assembly, the minority leader of the senate
33 and the minority leader of the assembly detailing:

34 (a) the total amount of funds committed to each applicant;

35 (b) the location of each applicant; and

36 (c) such other information as the corporation deems necessary.

37 7. The corporation is hereby authorized to establish guidelines for
38 the administration of the program, including application procedures and
39 disbursement terms. Such guidelines shall require the repayment of funds
40 received by the beneficiary if the beneficiary leaves New York state or
41 otherwise ceases farming activity within five years. Any such repaid
42 moneys shall be returned to the farm investment fund.

43 § 3. Funding for such program shall consist of all revenue received
44 pursuant to an appropriation thereto, and all other monies appropriated,
45 credited or transferred from any other source pursuant to law. Nothing
46 in this section shall be deemed to prevent the state from receiving
47 grants, gifts or bequests for the purpose of the program. Grants shall
48 only be awarded based upon the availability of funds.

49 § 4. This act shall take effect on the first of April next succeeding
50 the date on which it shall have become a law; provided, however, that
51 effective immediately, the addition, amendment and/or repeal of any rule
52 or regulation necessary for the implementation of this act on its effec-
53 tive date are authorized to be made and completed on or before such
54 date.