

# STATE OF NEW YORK

7678--A

## IN SENATE

January 6, 2022

Introduced by Sen. HINCHEY -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture -- recommitted to the Committee on Agriculture in accordance with Senate Rule 6, sec. 8 -- 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 establishing the New York state youth in agriculture and entrepreneurship summer employment program

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

1 Section 1. The agriculture and markets law is amended by adding a new  
2 article 29-A to read as follows:

### ARTICLE 29-A

#### NEW YORK STATE YOUTH IN AGRICULTURE AND ENTREPRENEURSHIP SUMMER

#### EMPLOYMENT PROGRAM

3 Section 525. Legislative intent and findings.

4 526. Definitions.

5 527. New York state youth in agriculture and entrepreneurship  
6 summer employment program.

7 528. Commissioner's power and duties.

8 § 525. Legislative intent and findings. The legislature hereby finds  
9 that diversifying the agricultural industry addresses issues of food  
10 insecurity and food access in the state. The legislature further finds  
11 that there are certain culturally significant foods in the state and  
12 seeks to encourage the continuance of production of such foods and to  
13 generate an interest in the production of such foods by future gener-  
14 ations of persons working in agriculture. The legislature hereby estab-  
15 lishes the New York state youth in agriculture and entrepreneurship  
16 summer employment program to allow students the opportunity to be  
17 educated on the agricultural industry and alternative career paths and  
18 to attain entrepreneurial experience. The legislature also establishes  
19 this program to subsidize youth employment for farms and farmers'  
20 markets that could otherwise participate in the program if the wages  
21 were not a hardship. It is the intention of the legislation that the  
22  
23  
24

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

LBD13495-03-2

1 New York state youth in agriculture and entrepreneurship summer employ-  
2 ment program serves as a stepping stone for such youth in careers in  
3 agriculture and entrepreneurship, as well as to provide farmers means to  
4 participate in the program.

5 § 526. Definitions. As used in this section:

6 1. "Minority or socially disadvantaged" means a group whose members  
7 have been subjected to racial, ethnic, or gender prejudice because of  
8 their identity as members of a group without regard to their individual  
9 qualities or citizenship status. These groups include, but are not  
10 limited to, the following:

11 (a) African Americans;

12 (b) Native Indians;

13 (c) Alaskan Natives;

14 (d) Hispanics;

15 (e) Asian Americans; and,

16 (f) Native Hawaiians and Pacific Islanders.

17 2. "Low income or economically disadvantaged" means having a family  
18 income that does not exceed one hundred fifty percent of the federal  
19 poverty level, including being a child of a working migratory family or  
20 an agricultural worker who is employed by more than one agricultural  
21 employer during the course of a year and whose income varies according  
22 to weather conditions and market stability.

23 3. "Qualifying business" means a farmers market, mobile market, commu-  
24 nity supported agriculture, cooperative, or any other type of business  
25 structure that provides New York grown and raised foods directly to  
26 consumers as approved by the commissioner.

27 4. "Qualifying farm" means a small to medium-sized farm or urban farm  
28 participating in a qualifying business.

29 5. "Agricultural work" means work performed maintaining crops or tend-  
30 ing livestock.

31 6. "Entrepreneurship work experience" means experience that aims to  
32 develop skills deemed necessary to succeed in the design, launch and  
33 running of a new business.

34 7. "Subsidized employment" means any employment through the New York  
35 state youth in agriculture and entrepreneurship summer employment  
36 program for which any costs associated with participation in the  
37 program, including wages and transportation, are paid by the state or by  
38 the federal government.

39 § 527. New York state youth in agriculture and entrepreneurship summer  
40 employment program. 1. There is hereby established in the department the  
41 New York state youth in agriculture and entrepreneurship summer employ-  
42 ment program to provide students with the opportunity to be educated on  
43 the agricultural industry and alternative career paths and to provide  
44 agricultural work experience and entrepreneurship work experience.

45 2. The commissioner shall establish application criteria that require  
46 qualifying businesses and qualifying farms to provide unsubsidized or  
47 subsidized employment as follows:

48 (a) Unsubsidized employment:

49 (i) demonstrate that such business or farm can provide students with  
50 both agricultural work experience and entrepreneurship work experience;

51 (ii) pay wages to eligible students in an amount that is above minimum  
52 wage;

53 (iii) provide transportation to and from the qualifying business or  
54 qualifying farm or to provide transportation compensation to the eligi-  
55 ble student; and

1 (iv) provide eligible students with a minimum of sixteen hours and a  
2 maximum of no more than forty hours of work per week.

3 (b) Subsidized employment:

4 (i) demonstrate that such business or farm can provide students with  
5 both agricultural work experience and entrepreneurship work experience;

6 (ii) establish a hardship to pay wages to eligible students in an  
7 amount that is above minimum wage;

8 (iii) demonstrate a hardship to provide transportation to and from  
9 the qualifying business or qualifying farm or a hardship to provide  
10 transportation compensation to the eligible student; and

11 (iv) provide eligible students with a minimum of sixteen hours and a  
12 maximum of no more than forty hours of work per week.

13 § 528. Commissioner's powers and duties. The commissioner shall have  
14 the following powers and duties with regards to the New York state youth  
15 in agriculture and entrepreneurship summer employment program:

16 1. to promulgate grants as necessary to achieve the legislative intent  
17 of this program as set forth in this article.

18 2. to apply for federal grants to help fund the program.

19 3. in consultation and cooperation with the commissioner of social  
20 services, the commissioner of education, and the president of the higher  
21 education services corporation, to perform outreach to ensure the  
22 program is known and available to students who are socially disadvan-  
23 tagged or economically disadvantaged.

24 4. to establish a website for the program which includes a portal  
25 where students may apply for jobs and where qualifying businesses and  
26 qualifying farms may connect and which provides promotional materials  
27 about the program in a pdf format that is easily accessible and print-  
28 able by organizations and the general public.

29 5. to include annual outreach campaigns that start at least three  
30 months prior to the date when applications for the summer program are  
31 first able to be submitted. Such campaigns shall include outreach to  
32 schools, non-profit organizations, qualifying businesses and qualifying  
33 farms. Such outreach shall be performed in a variety of methods, includ-  
34 ing a social media campaign.

35 6. to create an informational packet for students on agricultural  
36 opportunities in higher education including, but not limited to, infor-  
37 mation on the availability of scholarships, student loan forgiveness,  
38 and government assistance to create and establish farms.

39 7. to establish a subsidized employment program for qualifying farms  
40 and qualifying businesses that could otherwise participate in the  
41 program if paying wages were not a hardship.

42 § 2. This act shall take effect on the one hundred eightieth day after  
43 it shall have become a law. Effective immediately, the addition, amend-  
44 ment and/or repeal of any rule or regulation necessary for the implemen-  
45 tation of this act on its effective date are authorized to be made and  
46 completed on or before such effective date.