STATE OF NEW YORK

5123

2023-2024 Regular Sessions

IN ASSEMBLY

March 2, 2023

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

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:

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

ARTICLE 29-A

NEW YORK STATE YOUTH IN AGRICULTURE AND ENTREPRENEURSHIP SUMMER EMPLOYMENT PROGRAM

Section 525. Legislative intent and findings.
526. Definitions.
527. New York state youth in agriculture and entrepreneurship summer employment program.
528. Commissioner's power and duties.

§ 525. Legislative intent and findings. The legislature hereby finds that diversifying the agricultural industry addresses issues of food insecurity and food access in the state. The legislature further finds that there are certain culturally significant foods in the state and seeks to encourage the continuance of production of such foods and to generate an interest in the production of such foods by future generations of persons working in agriculture. The legislature hereby establishes the New York state youth in agriculture and entrepreneurship summer employment program to allow students the opportunity to be educated on the agricultural industry and alternative career paths and to attain entrepreneurial experience. The legislature also establishes this program to subsidize youth employment for farms and farmers' markets that could otherwise participate in the program if the wages were not a hardship. It is the intention of the legislation that the

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

LBD04207-01-3

New York state youth in agriculture and entrepreneurship summer employment program serves as a stepping stone for such youth in careers in agriculture and entrepreneurship, as well as to provide farmers means to participate in the program.

§ 526. Definitions. As used in this section:

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

(a) African Americans;

(b) Native Indians;

(c) Alaskan Natives;

(d) Hispanics;

(e) Asian Americans; and,

(f) Native Hawaiians and Pacific Islanders.

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

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

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

5. "Agricultural work" means work performed maintaining crops or tending livestock.

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

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

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

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

(a) Unsubsidized employment:

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

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

(iii) provide transportation to and from the qualifying business or qualifying farm or to provide transportation compensation to the eligible student; and

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

(b) Subsidized employment:

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

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

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

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

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

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

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

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

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

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

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

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

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.