§ 1285-r. State beginning farmer program. 1. Notwithstanding the provisions of any general or special law to the contrary, the corporation shall undertake to provide financial assistance to beginning farmers to purchase agricultural land, improvements and other agricultural property at or for any agricultural facility as set forth in this section.

2. For purposes of this section, and notwithstanding any provision of law to the contrary, as used in this section:

(a) "Agricultural facility" shall mean a facility used for the production for sale of crops, livestock and livestock products as those terms are defined in subdivision two of section three hundred one of the agriculture and markets law.

(b) "Beginning farmer" shall mean a person who engages in farming or desires to engage in farming and who qualifies as a first time farmer pursuant to 26 United States code section 147(c)(2).

(c) "Lender" shall mean any state or federally-chartered savings bank, savings and loan association, state or federally chartered savings banks and savings and loan associations, farm credit system institution, or state or federally chartered commercial banks or trust companies authorized to do business in this state.

(d) "Project" shall mean the purchase of agricultural land, improvements and other agricultural property at or for any agricultural facility to be owned and operated by a beginning farmer.

3. The corporation is hereby authorized to enter into any contract, financing or loan agreement, or other instrument in connection with a loan made by a lender to a beginning farmer for a project.

4. In order to effectuate the purposes of this section, the corporation may extend credit to or on behalf of a beginning farmer for the construction or acquisition of a project, or for the reimbursement for costs incurred by a beginning farmer in connection with a project, provided such beginning farmer has received a commitment to receive from a lender a loan or other financial assistance acceptable to the corporation. In the exercise of the powers granted in this section in connection with a project for a beginning farmer, the corporation may

require the inclusion in any contract, loan agreement or other instrument of such provisions for the financing of such project and such other financial and other covenants as may apply to such beginning farmers as the corporation may deem desirable and/or appropriate and to do all things necessary to execute any instrument in connection and desirable with such financing.

5. In connection with the issuance of any bond or note issued in connection with or for the beginning farmer program, the corporation may fix and collect any fees and charges, including but not limited to reimbursement of all costs of financing incurred by the corporation, as the corporation shall determine to be reasonable.

6. In connection with the extension of credit and the issuance of a bond or note for the construction or acquisition of a project as provided in this section, a beginning farmer shall submit to the corporation an application for the extension of credit or a loan. The corporation may deny such application for any reason it deems appropriate in the public interest.

7. Any bonds or notes issued to finance the provisions of this section shall be special limited obligations of the corporation payable solely out of the revenue derived from any loan or finance agreement, debt obligation or sales contract, collateral or other property received in connection with the beginning farmer program. All assets and liabilities created through the issuance of bonds or notes under this section shall be separate from all other assets and liabilities of the corporation. The corporation shall have no moral or legal obligation or liability to any beginning farmer or other person under this section except as expressly provided by written contract. No funds in the beginning farmer program may be commingled with any other funds of the corporation.

8. (a) The corporation shall promulgate regulations, developed in consultation with the commissioner of agriculture and markets, for the purpose of carrying out its responsibilities under this section, including establishing the criteria and standards for evaluating the project to be financed and the eligibility of the beginning farmer.

(b) The corporation shall consult with the commissioner of agriculture and markets regarding promotion of the program and agriculturally related questions regarding the program or applications.