

Annual Report 2023

# New York State Senate Standing Committee on Agriculture

## Senator Michelle Hinchey

Chair



**Senator Andrea Stewart-Cousins**  
**President Pro Tempore**  
**NYS Senate Majority Leader**



**CHAIR**  
AGRICULTURE

**COMMITTEES**  
CULTURAL AFFAIRS, TOURISM,  
PARKS AND RECREATION  
ENERGY AND TELECOMMUNICATIONS  
ENVIRONMENTAL CONSERVATION  
FINANCE  
LOCAL GOVERNMENT  
TRANSPORTATION

THE SENATE  
STATE OF NEW YORK



**MICHELLE HINCHEY**  
Senator, 41<sup>ST</sup> District

**MEMBER**  
SUBCOMMITTEE ON CANNABIS  
JOINT SENATE TASK FORCE  
ON OPIOIDS, ADDICTION, AND  
OVERDOSE PREVENTION  
LEGISLATIVE COMMISSION ON  
RURAL RESOURCES  
LEGISLATIVE WOMEN'S CAUCUS  
SELECT MAJORITY TASKFORCE ON  
MINORITY AND WOMEN-OWNED  
BUSINESS ENTERPRISES

December 15, 2023

The Honorable Andrea Stewart-Cousins  
Temporary President and Majority Leader  
New York State Senate  
Albany, NY 12247

Dear Leader Stewart-Cousins:

I am pleased to share the Annual Report of the New York State Senate Standing Committee on Agriculture for the 2023 Legislative Session. As Chair, I'm proud to guide our efforts to support this vital industry, recognizing that the success of New York Agriculture is intertwined with every aspect of our lives, from our food security to the preservation of our natural resources and the health of our State's economy.

During the 2023 Session, the Agriculture Committee met five (5) times and reported thirty bills (30). As Chair of the Committee, I worked to elevate the importance of our agricultural community through a variety of statewide tours and hosted the first Agritech Summit, in partnership with the SUNY Chancellor, emphasizing the need for forward-thinking curriculum around the future of agtech work. I thank my colleagues who served on the Committee for their efforts, and the continued support from you and the Majority Conference members to grow and strengthen this crucial industry within our State. Furthermore, a sincere thank you to our partners across New York, including elected officials at all levels of government and stakeholders within this community, for their continued partnership in creating a resilient and sustainable food system from field to fork.

New York has a pivotal role to play in ensuring the future and safety of our country's food supply along with the protection of our natural environment. Our work over this last year reflects efforts to grow sustainability while increasing access to land, knowledge, and capital for those interested in this field. I look forward to the opportunities in next year's Session to build on our success and to ensure that New York's agricultural economy can grow well into the future.

Sincerely,

Senator Michelle Hinchey

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**2023 LEGISLATIVE SESSION REPORT**

**NEW YORK STATE SENATE  
STANDING COMMITTEE ON AGRICULTURE**

**Senator Michelle Hinchey, Chairwoman**

Committee Members

Senator John W. Mannion	Senator George M. Borrello - <i>Ranking Member</i>
Senator Rachel May	Senator Pamela A. Helming
Senator Jessica Ramos	Senator Mark Walczyk
Senator Kevin Thomas	
Senator Lea Webb	

Committee Staff

Brian Coffin - Albany Chief of Staff and Legislative Director  
Daniel Wrenn - Scheduler and Committee Clerk





## COMMITTEE JURISDICTION AND OVERVIEW

The New York State Senate Standing Committee on Agriculture has legislative oversight responsibilities for issues concerning the state's agricultural sector and food supply chain. The Committee routinely deals with legislation that impacts the Department of Agriculture and Markets, Cornell Cooperative Extension, and farm organizations.

During the 2023 Legislative Session, one hundred (100) bills were referred to the Committee for its review. Of these bills, thirty (30) were reported from the Committee. Twenty five (25) were passed by the Senate, and eleven (11) passed in both houses. This work was conducted through a series of five (5) committee meetings. A list of all the bills that were reported from the committee is provided at the end of this report.

As Chair, I hosted three marquee events at the Capitol. On April 23, 2023, we hosted Animal Advocacy Day, in partnership with Senator Martinez, welcoming pet and animal resource groups to Albany to connect with legislators. Working with the New York Brewers Association, on May 17, 2023 we invited twelve (12) craft breweries, from Long Island to Buffalo, to the Legislative Office Building to share samples of their products and advocate for legislation relevant to their businesses. To cap off this session, on May 23, 2023, dairy producers gathered in the Well to celebrate Dairy Day and June as the upcoming Dairy Month. This was the first time since the COVID-19 pandemic that these events were able to return to an in-person forum and they were warmly welcomed back.

In addition to our agricultural policy work in Albany, I visited and toured a diverse number of farms across the state. On July 8, 2023, I joined Attorney General James in Millerton on her visit to Rock Steady Farm where we discussed their thriving CSA model as well as how we can make agriculture a more inclusive and accessible industry for young, diverse farmers. On September 19, 2023, I co-hosted a multi-day farm tour on the eastern end of Long Island, with the Long Island Farm Bureau, Senator Borrello and Assemblyman Tague Legislators from across the state to learned about the localized harvesting practices of a multitude of crops, from oysters to lavender, along with the farm businesses that are critical to the economic development on Long Island. Closer to home, I joined the New York Farm Bureau in co-hosting a similar event in Columbia County, which brought together legislators and staff for a day-long itinerary of tours. A highlight of the tours this year occurred in Milton, NY, where we met with the owners of Locust Grove Fruit Farm and Brewery to celebrate their 200th year of family ownership and operation.

Throughout the year, I met with numerous stakeholders to hear the issues on their minds. On April 13, 2023, I attended the Dutchess County Agriculture Breakfast, a gathering of stakeholders throughout the County at their fairgrounds. On May 12, 2023, I joined community members for a ground-breaking on a new animal shelter in Dutchess County. The first week of July, I attended Congressman Molinaro's Federal Farm Bill Reauthorization listening session in Columbia County where I testified to the Congressman about changes needed to help agriculture in our state, including the need for the Federal government to allow whole milk back into public schools without jeopardizing school meals funding. At the end of July, I celebrated the NYS Grange's 150th Anniversary at a gathering of local Hudson Valley Granges in Stanford.

During the year, I was also proud to see the final stages of the agricultural cycle and the distribution of New York grown food. I attended the opening of several seasonal farmers markets, including the markets in Rhinebeck and Hyde Park, this spring. In September, I joined the Department of Agriculture and Markets Commissioner, Richard Ball, to celebrate the 10th Anniversary of Taste NY at Olana State Historic Site, which provides convenient locations for the sale of locally sourced agricultural goods to tourists and travelers. On October 12, 2023, I visited GrowNYC, who showcased their model for distributing healthy food throughout New York City. Senators Bailey and Rivera joined me to tour their distribution hub and two greenmarkets in the Bronx.

My days were also filled with opportunities to meet with the next generation of leaders in agriculture. In February, Assemblywoman Lupardo and I hosted FFA students in Albany during their Advocacy Day. In March, I joined Ulster County Cornell Cooperative Extension for their Ag Literacy Day in Kingston, promoting agriculture in Mrs. Hopper's Kindergarten classroom. In July, I had the pleasure of meeting with participants in the Farmers Museum's Junior Livestock Show in Cooperstown with Senator Oberacker. At the end of July, I joined youth in opening the Greene County Youth Fair, and over Labor Day weekend, joined Commissioner Ball at the Columbia County Fair, meeting with 4-Hers and agricultural exhibitors.

The highlight and culmination of my work in agriculture over this past year occurred on September 7, 2023 on the campus of SUNY New Paltz. I co-hosted the first-ever Agriculture Technology Workforce Readiness Summit in partnership with SUNY Chancellor John B. King. This event brought together more than two dozen organizational partners, including key SUNY campus Presidents and representatives, the Commissioners from the State Department of Labor and Department of Agriculture and Markets, economic development agencies, and agriculture industry partners. This conversation was centered on how to collectively develop the programming and policies to modernize and meet future agricultural challenges for the next generation entering the field. This event, in addition to all the above work, showed firsthand the promise of New York agriculture leading us into the future.



## COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2023:

- 1) **S7081 Hinchey/A4911 Kelles** - This legislation establishes an agrivoltaics research program to develop innovative science-based solutions to facilitate the co-location of crops and photovoltaics while promoting the biodiversity of endemic flora and fauna. Specifically, this would create a Center for Agrivoltaics Research utilizing land stewarded by Cornell University which will focus on comprehensively looking at the crops that can grow underneath solar arrays, the configurations that facilitate agrivoltaics, but also the economics of smaller scale machinery/robotics which facilitates crop production. In facilitating consistent investment in R&D funding, would enable the development of holistic agrivoltaics systems in New York, working to improve environmental and economic sustainability.
- 2) **S1058-A Hinchey/A2299-A Lupardo** - This legislation establishes the agrivoltaics viability pilot program within the farmland viability program to provide grants to identify the best practices and strategies for dual-use solar energy projects that protect soil health during construction and decommissioning of solar arrays, utilize sustainable agricultural production practices, monitor any benefits solar energy may have on farms and to the state, track economic viability, study the commercialization of dual-use solar energy projects, and encourage equitable engagement of stakeholders. As New York continues to take action against climate change and work to meet the goals of the CLCPA, it is important that an energy crisis is not exchanged for a food crisis. Solar energy production and agriculture do not need to be mutually exclusive and can work together in a dual-use model, helping facilitate a transition to a renewable energy economy with profitable farms generating energy and food. This bill works to understand and optimize agrivoltaics, incentivizing pilot implementation through grants.
- 3) **S1054 Hinchey/A4113 Lupardo** - This legislation increases the number of cuisine trails in the state from fifteen (15) to twenty five (25). Cuisine trails are important to the agriculture industry as they serve as a guide, bringing people to spots for locally-grown food and craft beverages. By creating more trails, awareness and patronage to these businesses will increase, showcasing New York grown and produced products and supporting the agro-tourism economy.

- 4) **S1780-A Bailey/A5020-A Hyndman** - This legislation expands the FreshConnect program, which provides rebates for the purchase of local produce to certain people, to include local produce sold in supermarkets and grocery stores. The FreshConnect program has been proven to increase access to healthy produce for New Yorkers who are in areas of limited access to these food sources. This bill will increase the number of people who can access the resources of FreshConnect, resulting in more low-income consumers eating healthy food, an increase in market shares of local producers, and keeping financial resources within the local economy.
  
- 5) **S2415 Bailey/A6613 Cruz** - This legislation establishes the office of urban agriculture. The creation of the Office for Urban Agriculture will support and help facilitate various efforts to create and uphold urban agriculture structures around the state. The office will serve as a resource for residents by creating an interactive website that provides information and resources with regard to urban farming, available state or municipality owned land available for use/cultivation, and provide direction regarding assisting in promulgating urban agriculture efforts. Urban agriculture creates an avenue for urban communities with limited access to fresh produce, to produce their own fresh, healthy foods for their residents.
  
- 6) **S2163-B Addabbo/5109-A Glick** - This legislation prohibits any person, corporation, association, or other entity from slaughtering a horse if they know or have reason to know that the horse will be used for human or animal consumption. It also prohibits anyone from possessing, selling, importing, etc., a horse or horseflesh if they know or should have known that any part of the horse will be used for human or animal consumption. Any individual who violates this prohibition will be subject to increasing fines for subsequent violations, with corporations and other entities facing greater ones. Previously, this rule only applied to the slaughter of racehorses. However, extending this to all horses will protect their health and well-being by preventing their sale for the sole purpose of slaughter, a process which often results in prolonged suffering.

## TWO-HOUSE BILLS

In 2023, eleven (11) of the one hundred (100) bills referred to the Standing Committee on Agriculture passed both houses of the Legislature. Of these bills, the Governor signed seven (7) and vetoed four (4).

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Action</b>
S629A	Comrie	Requires the community gardens task force to conduct an assessment of all community gardens located on publicly owned land in the state to facilitate each garden's designation as a critical environmental area.	Veto Memo .66
S1054	Hinchey	Increases the number of cuisine trails in the state.	Signed Chap .696
S1677A	Addabbo	Increases fines for selling disabled Equidae.	Signed Chap .724
S1723A	Skoufis	Establishes a youth development agriculture technology challenge.	Signed Chap .280
S1780A	Bailey	Expands the FreshConnect program, which provides rebates for the purchase of local produce to certain people, to include local produce sold in supermarkets and grocery stores.	Veto Memo .130
S2163B	Addabbo	Prohibits any person, corporation, association, or other entity from slaughtering a horse where such person, corporation, association, or other entity knows or has reason to know that such horse will be used for human or animal consumption; prohibits any person, corporation, association, or other entity from possessing, selling, importing, etc, a horse or horseflesh if such person, corporation, association, or other entity knows or should have known that any part of such horse or horseflesh will be used for human or animal consumption; provides penalties for violation.	Signed Chap .726

S4314A	Sepúlveda	Permits commercial feed manufacturers to use the term "human food grade" for certain pet food if it conforms to certain state and federal standards.	Veto Memo .76
S5526	Hinchey	Lowers the threshold for eligibility for the appropriation of moneys for the promotion of agriculture and domestic arts from five thousand dollars to two thousand five hundred dollars.	Signed Chap .281
S6185	Hinchey	Includes certain lands used in single operation for the production of tree nuts in the definition of agricultural land; includes tree nuts in the definition of fruits.	Signed Chap .395
S6326	Hinchey	Authorizes commercial feed for a pet, specialty pet, horse, or camelid to include hemp seed or a substance derived from hemp seed.	Veto Memo .92 <sup>1</sup>
S7081	Hinchey	Establishes an agrivoltaics research program to develop innovative science-based solutions to facilitate the co-location of crops and photovoltaics while promoting the biodiversity of endemic flora and fauna.	Signed Chap .52

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<sup>1</sup> S.6326 was Tabled upon the Veto as the Governor directed the Department of Agriculture and Markets to work with Cornell University's College of Agriculture and Life Sciences to research the impacts of the use of hemp seed or hemp seed products in animal feed, and completed in an expeditious manner to better inform the industry.

## SUMMARY OF COMMITTEE ACTIVITY

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Action</b>
S142	Gianaris	Restricts the performance of surgical devocalization procedures on dogs and cats.	Passed Senate Only
S213B	Myrie	Relates to false or misleading advertisements of food and food products; provides factors to determine whether an advertisement is false or misleading; provides for enforcement and a private right of action.	Passed Senate Only
S629A	Comrie	Requires the community gardens task force to conduct an assessment of all community gardens located on publicly owned land in the state to facilitate each garden's designation as a critical environmental area.	Veto Memo .66
S761	Krueger	Relates to aggravated cruelty to animals.	Passed Senate Only
S1054	Hinchey	Increases the number of cuisine trails in the state.	Signed Chap .696
S1055	Hinchey	Establishes 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.	Reported from Committee, Reported and Committed to Finance
S1056A	Hinchey	Includes certain land that is owned or rented as a farm operation for the production for sale of crops, livestock or livestock products as land used in agricultural production.	Passed Senate Only

S1058A	Hinchey	Establishes the agrivoltaics viability pilot program within the farmland viability program to provide grants to identify the best practices and strategies for dual-use solar energy projects that protect soil health during construction and decommissioning of solar arrays, utilize sustainable agricultural production practices, monitor any benefits solar energy may have on farms and to the state, track economic viability, study the commercialization of dual-use solar energy projects, and encourage equitable engagement of stakeholders.	Reported from Committee, Reported and Committed to Finance
S1195	Persaud	Requires the department of agriculture and markets to maintain a publicly available database of the results of its graded inspections on its website; requires the department to provide information as to where a customer may file a consumer report; requires the department to facilitate and coordinate the planning and implementation of an awareness and educational program to inform the general public on the standards retail food stores shall meet and how consumers may report retail food stores with poor sanitary conditions.	Passed Senate Only
S1365	Kennedy	Directs the department of agriculture and markets to increase the number of regional farmers' markets for the direct marketing of foods and produce produced in the state.	Passed Senate Only
S1677A	Addabbo	Increases fines for selling disabled Equidae.	Signed Chap .724
S1723A	Skoufis	Establishes a youth development agriculture technology challenge.	Signed Chap .280
S1751	Hinchey	Requires applicants for a license to grow adult-use or medical cannabis to submit an energy efficiency plan to the department of agriculture and markets; sets resource efficiency requirements for such cannabis growers.	Reported from Committee, Reported and Committed to Energy and Telecommunications
S1752	Hinchey	Expands the definition of crops, livestock and livestock products to include cannabis.	Reported from Committee, Committed to Rules

S1780A	Bailey	Expands the FreshConnect program, which provides rebates for the purchase of local produce to certain people, to include local produce sold in supermarkets and grocery stores.	Veto Memo .130
S2163B	Addabbo	Prohibits any person, corporation, association, or other entity from slaughtering a horse where such person, corporation, association, or other entity knows or has reason to know that such horse will be used for human or animal consumption; prohibits any person, corporation, association, or other entity from possessing, selling, importing, etc, a horse or horseflesh if such person, corporation, association, or other entity knows or should have known that any part of such horse or horseflesh will be used for human or animal consumption; provides penalties for violation.	Signed Chap .726
S2236	Hinchey	Establishes a one-stop farming hotline with the Cornell cooperative extension.	Passed Senate Only
S2407	Bailey	Establishes the farm ownership succession planning program to provide farm owners with a succession planning toolkit that can be used by such farm owners who plan on selling or closing their farm.	Passed Senate Only
S2415	Bailey	Establishes the office of urban agriculture.	Passed Senate Only
S2461	Persaud	Establishes the sanitary retail food store grant program to provide funding to retail food stores that fail inspections to correct deficiencies if such stores are unable to sustain the costs to immediately correct critical deficiencies, are located in food deserts, and would otherwise be unable to stay in operation due to their inability to meet and maintain sanitary standards.	Reported from Committee, Reported and Committed to Finance
S3431A	Skoufis	Relates to promoting animal fighting and appropriately punishing individuals associated with such activities.	Passed Senate Only



S4270A	Parker	Establishes a tax credit for farmers who maximize carbon sequestration potential through a "carbon farming" land management strategy; directs DEC to develop regulations related to certifying the amount of carbon sequestered or emissions reduced.	Passed Senate Only
S4314A	Sepúlveda	Permits commercial feed manufacturers to use the term "human food grade" for certain pet food if it conforms to certain state and federal standards.	Veto Memo .76
S5325	Martinez	Enacts "Tucker's law"; removes the provision that provides that any term of imprisonment for a violation of aggravated cruelty to animals may not exceed two years.	Passed Senate Only
S5526	Hinchey	Lowers the threshold for eligibility for the appropriation of moneys for the promotion of agriculture and domestic arts from five thousand dollars to two thousand five hundred dollars.	Signed Chap .281
S6185	Hinchey	Includes certain lands used in single operation for the production of tree nuts in the definition of agricultural land; includes tree nuts in the definition of fruits.	Signed Chap .395
S6326	Hinchey	Authorizes commercial feed for a pet, specialty pet, horse, or camelid to include hemp seed or a substance derived from hemp seed.	Veto Memo .92 <sup>2</sup>
S6365	Hinchey	Relates to the inspection of property that has been vacated for abandoned animals; requires property owners and lessors to inspect such property within three days and to immediately notify the appropriate authorities when such person finds an animal which appears to be abandoned.	Passed Senate Only
S6796	Addabbo	Relates to strengthening enforcement efforts of the state's anti-slaughter of race horses and race horse breeding stock law; requires the posting of signage that states it is illegal to sell or transfer such animals for the purposes of slaughter.	Passed Senate Only

<sup>2</sup> S.6326 was Tabled upon the Veto as the Governor directed the Department of Agriculture and Markets to work with Cornell University's College of Agriculture and Life Sciences to research the impacts of the use of hemp seed or hemp seed products in animal feed, and completed in an expeditious manner to better inform the industry.

S7081	Hinchey	Establishes an agrivoltaics research program to develop innovative science-based solutions to facilitate the co-location of crops and photovoltaics while promoting the biodiversity of endemic flora and fauna.	Signed Chap .52
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on Agriculture**