

“Growing Strong” Working Together to Support New York’s Leading Industry

2018 ANNUAL REPORT SENATE COMMITTEE ON AGRICULTURE

Senator Patty Ritchie | Chair, Senate Agriculture Committee

Dear Friend of New York Agriculture,

It’s often said that farmers don’t work until the sun goes down — they work until the job is done. As Chair of the Senate Agriculture Committee since 2011, I have been proud to support the hard work of New York State’s farmers and those who will follow in their footsteps.

In 2018, for the fourth straight year, the New York State Budget included record funding for agriculture totaling \$54.4 million — nearly \$20 million of which is the addition of funding or the restoration of cuts proposed in the Executive Budget and Assembly proposals.

In the pages to come, you’ll read about the important initiatives being made possible through this support, including those aimed at attracting young people to farming careers, boosting emerging sectors of the agriculture industry — You’ll also learn about legislation we acted on to strengthen family farms and create new jobs in the agriculture industry. — and programs to support New York’s dairy industry.

As I complete my work as Senate Agriculture Committee Chair, I would like to thank all those responsible for the success of the industry. From the farmer in the field to the FFA student excited about his or her future career, it has truly been a privilege to work alongside so many people passionate about New York’s leading industry. I am proud of all we have accomplished and cannot wait to see how the foundation we’ve built helps New York’s leading industry grow for years to come.



Sincerely,

A handwritten signature in black ink that reads "Patty". The signature is written in a cursive, flowing style.

Senator Patty Ritchie
Chair, Senate Agriculture Committee



2018 SENATE AGRICULTURE COMMITTEE



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RECORD FUNDING TO HELP NY'S LEADING INDUSTRY GROW

In 2018 — for a fourth straight year — the New York State Budget included record funding for agriculture.

Included in the spending plan was \$54.4 million for New York's leading industry, nearly \$20 million of which is the addition of funding or the restoration of cuts made in the Executive Budget and Assembly proposals.

New York's hardworking farmers have very difficult, demanding jobs, and through this critical funding, we are demonstrating we support their efforts to grow and produce the fresh foods we depend on.

Highlights of the spending plan included:

- A second round of funding for the "Seeds of Success" program, which helps schools enhance agricultural education, as well as support for other programs—like FFA and school-based agriculture academies in the North Country and Western New York—that are helping young people lay the groundwork for successful careers in the industry;
- Support — for the fifth year in a row — for the "Beginning Farmers" grant program, which assists new farmers with grants of up to \$50,000 to help with the purchase of land, buildings, tools and other farming necessities;
- Increased funding to further boost New York State's craft brewing industry, including support for Cornell University's "Born, Bred and Brewed" and hard cider research programs, the New York Brewers Association, the New York State Distillers Guild and the New York State Hard Cider Association;
- The restoration of funding for programs critical to helping dairy farms with research, marketing, profitability and sustainability, including FarmNet, PRO-DAIRY and the Farm Viability Dairy Profit teams, which work with farms to develop profitability and sustainability strategies;
- Increased and/or restored funding for New York State producers, including the Wine and Grape Foundation, the Apple Growers Association, Maple Producers and Berry Growers, among others;
- Restored funding for the Tractor Rollover Protection Program, which helps equip tractors with an important piece of safety equipment to help reduce the risk of injury in the event of a tractor overturn — a leading cause of death on a farm.



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Agriculture is in my blood. Having grown up on a family farm in Northern New York, I know just how hard our state's farmers work to grow and produce food for people around the world. I've seen firsthand the long hours and backbreaking work that help people build successful careers in farming – and that's why, as Chair of the Senate Agriculture Committee since 2011, I've been proud to stand up for our farmers and fight for the support they need to get the job done.

While I am transitioning from my role as Chair of the Senate Agriculture Committee, my commitment to our farmers will not end. I know that in nearly every corner of the Empire State, farmers are striving every day to feed a hungry population. I look forward to continuing to be part of the effort to ensure farming continues to be a major part of New York State and its economy for years to come.

A LOOK BACK

Since becoming Chair of the Senate Agriculture Committee in 2011, Senator Ritchie has been successful in her efforts to secure more than \$79 million in restored budget cuts and new funding to help the more than 35,000 farms across New York State.

2011:

- Legislation signed to allow the sale of wine flavored frozen desserts in New York State — a measure that has helped create new products, new businesses and new jobs on farms, at wineries and in our manufacturing plants. (S.4054; Chapter 42)
- The Senate Agriculture Committee and Health Committee held a joint roundtable on the State and Local Response to Eastern Equine Encephalitis (EEE) in Central and Northern New York after the tragic death of an Oswego County 4 year-old. Participants included State and local health officials, and experts on animal and human health, as well as disease prevention. The roundtable laid the groundwork for future efforts to stop the spread of the deadly disease.

2012:

- The “Farm Brewery License” was created via legislation sponsored by Senator Ritchie (S.7727; Chapter 108). The license helped continue the momentum of New York's booming craft beverage industry, boost demand for locally grown farm products and increase industry-related economic development statewide.



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- With a new focus on the dangers of EEE, Senator Ritchie and members of the Committee worked to shine a spotlight on the disease. Senator Ritchie sponsored an awareness campaign in her district, as well as a statewide program to protect horses at high risk of the illness. In addition, Senator Ritchie secured State Budget funding to provide full reimbursement to impacted counties for mosquito control treatments over state-owned lands within their county.
- The 21st Century Workgroup for Disease Elimination and Reduction within the State Department of Health is created. The group, comprised of experts in diseases, infection and public health is tasked with pushing for the development of effective vaccines against diseases, including EEE, West Nile Virus and Lyme.

2013:

- The Governor signed into law legislation sponsored by Senator Ritchie that boosts the amount of locally produced food sold to state prisons, hospitals and other facilities. The measure (S.4061: Chapter 533) gives agencies easy access to farm fresh products by directing officials to create a list of competitively priced food products that are available for institutional sale.
- A bill is signed to set a two percent cap on agricultural land assessment, helping hardworking farmers with relief from rising property taxes by limiting increases of agricultural assessment to no more than two percent a year. To date, the cap has helped save farmers across the state more than \$36.6 million.

2014:

- The 'Beginning Farmers' grant program is created to protecting the future of the industry by providing those just launching careers with funding to start or expand an agriculture business. Since the program's launch in 2014, it has provided nearly \$3.27 million to more than 90 farms across the state.
- In an effort to encourage recent college graduates to pursue careers in farming, the 'NYS Young Farmers Loan Forgiveness Incentive Program' is established.

2015:

- Senator Ritchie launches "Grown in New York," a multi-part plan to open new markets and expand opportunities for New York Farmers. The idea evolved into the Governor's own "NY Grown and Certified" initiative, which helps consumers identify high-quality agricultural products that are locally grown and produced.
- Investments are made in the State Budget to launch an Upstate "food hub" that helps move fresh foods from rural areas to the nation's largest consumer markets in New York City and other cities around the state.
- The State Budget included a first ever expansion of a USDA-led program that provides fixed income seniors with special coupons that can be redeemed for free, locally grown foods from hundreds of farmers markets across the state. Thanks to Senate action, the program continued to expand in the years to follow, providing tens of thousands more seniors with farm fresh foods.
- Legislation to save farmers across the state millions of dollars by cutting fees to register trailers used for transporting produce, livestock and other items in half is signed into law. (S.4241-B; Chapter 527)
- Thanks to increased funding for rabies prevention, areas where rabies "bait drops" occur are expanded, allowing baits—which are small packets containing rabies vaccine consumed by animals—to be

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distributed to areas of the North Country that had not been treated for several years.

2016:

- A new law allows vehicles registered for agricultural purposes to travel on public highways from their point of sale to a farm — a change that saves farmers money and makes it easier for them to transport the vehicles essential to their operations. (S.7180; Chapter 295)
- Support is included in the budget for the launch of a new program—known as “Farm Ops” where soldiers and veterans can receive on-the-job training and experience in operating a farm. The Cornell University-run program is seen as a way to expose soldiers and veterans to another post-military career option, while at the same time protecting the future of New York’s leading industry by encouraging more people to pursue agribusiness.

2017:

- The “Farm to Food Bank Tax Credit”—sponsored by Senator Rich Funke—is signed into law, making farmers eligible to receive a tax credit for donations made to local food banks or similar emergency food programs. The tax credit, which went into effect on January 1, 2018, is expected to save hardworking farmers \$10 million annually, as well as provide millions of meals to people in need across the state.
- The Agriculture Committee hosted a public hearing at the capital to solicit ideas from farmers and industry representatives on additional ways to help New York agriculture succeed. More than 18 farmers and their representatives—covering a broad expanse of agriculture products, regions and interests—offered testimony on challenges and opportunities for the future of agriculture.

2018:

- A bill designed to help a family member inheriting a farm through a trust, to also inherit the tax credit the previous family farm operator was receiving, was signed into law. (S.7287; Chapter 14)
- A real-property tax exemption for new farm buildings is renewed, helping strengthen farmers’ bottom lines by allowing newly constructed and re-constructed farm buildings to stay off the tax

rolls for 10 years after being built. Since it was last renewed in 2008, the exemption is estimated to have saved New York farmers nearly \$113 million. (S.8067; Chapter 326)

- A measure to level the playing field for hops farmers by offering their hopyards the same tax abatements as vineyards and orchards passes both houses of the Legislature. (S.8841; Chapter 192)
- Legislation allow craft beverage makers to produce and sell beer and hard cider infused ice cream—similar to wine ice cream—is signed into law. (S.8830 Chapter 118)



SENATE AGRICULTURE COMMITTEE LEGISLATION REPORT

Tuesday, January 9, 2018, at 9:00 AM, Room 411 LOB

S.534-A (Young, Funke, Valesky) /No Same As – establishes a three-year real property tax exemption for replanting or crop expansion of woody biomass for the production of ethanol or biodiesel, including willow. This reflects the maturation time needed in order for the plant material to be marketable. (Committed to Rules)

S.839 (Funke, Akshar, Croci, Felder, Helming, Larkin, Phillips, Ranzenhofer) /A. 7993 (Thiele) – allows municipalities the option to waive a licensing fee for an active military member's dog when the soldiers are deployed.

It would apply to dogs that already have a license in the municipality of the owner. Often, when deployed, the military member places their dog with a friend or family member who may reside in a different community. Current law requires the temporary owner to register the dog and pay another licensing fee.

The purpose of the bill is so that our service members with dogs do not have to have the added burden of worrying about additional licensing fees when they are fighting for our country. (Passed Senate)

S.1509 (Avella, Addabbo, Brooks, Helming, Hoylman, Kaminsky, Phillips, Tedisco) /A.1473 (Zebrowski) – increases the penalties for failure to comply with provisions of the Agriculture and Markets Law requiring appropriate shelter for dogs left outdoors. (Passed Senate)

S.2479 (Ritchie, Akshar, Avella, Gallivan, Helming, Larkin, Marchione, Sepulveda, Valesky) /A.7367 (Magee) – authorizes and directs the Commissioner of Agriculture and Markets to ensure agriculture's statewide vitality by assessing the effectiveness of laws meant to protect against encroachment by development onto productive land.

The bill also examines emerging agricultural practices and business models, particularly those that could be used by small and mid-sized farms, in order to determine how they might be encouraged to continue to operate in New York State. (Passed Senate)

S.2898 (Ritchie, Helming, Marchione) /A.7393 (Magee) – establishes a one-stop farming hotline with Cornell Cooperative Extension to provide farmers with access to essential and valuable information on all aspects of farming, including tax credit programs, beginning farmer loans, and sustainable practices. (Committed to Finance)

S.3015 (Ritchie, Helming, Serino)/A. 9971 (O'Donnell) – expands the use of electronic benefit transfer (EBT) technology to Community Supported Agriculture (CSA) markets by providing EBT equipment costs.

By permitting CSA markets access to EBT processing equipment, this ensures that CSA markets have the necessary tools to provide healthy food to all residents. Authorizing and equipping CSA markets with EBT technologies will encourage and foster close relationships between farmers and the residents of their communities, strengthening local economies. (Passed Senate)

S.3872 (Comrie, Kennedy, Montgomery) /A.10565 (Rosenthal) – amends the reporting requirement for the farmers' market program to include a discussion of food deserts and the efforts to develop and expand farmers' markets in food deserts.

Many areas throughout New York lack supermarkets, farm stands or other sources of fresh fruits, vegetables, whole grains and other foods with high nutritious values. Areas that lack access are typically low-income neighborhoods known as "food deserts." Those who live in food deserts often survive on low-cost, fast-food products with high caloric and fat content and little nutritional value.

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Individuals in food deserts have higher rates of obesity, diabetes, and cardiovascular disease when compared to those who do not live in food deserts. In a state with one of the largest agriculture industries in the nation, this should not be the case.

This bill would help gather the information needed for policy makers to implement policies to overcome the barriers standing in the way of access to fresh fruits, vegetables, whole grains and nutritious foods in food deserts. (Passed Senate)

Tuesday, February 13, 2018, at 9:00 AM, Room 411 LOB

S.177-C (Marchione, Sepulveda) /A.9970-B (Jenne) – reduces the holding time before adoption of stray cats that have been examined by a veterinarian and whose owners are not known by way of collar identification or microchip to three (3) days. (Passed Both Houses – Awaiting Action by Governor)

S.562 (Young, Ranzenhofer) /No Same As – Creates a real property exemption for land of a farm operation which is in the process of being certified for the production of organic crops.

The bill is similar to an existing tax exemption for the replanting of vineyards and orchards. (Committed to Rules)

S.722 (Ortt, Akshar, Ritchie) /A.9644 (Jenne) – requires notification to the owners and/or operators of a farm operation when information about their farm operation has been requested through the Freedom of Information Law from a state agency or entity.

The bill ensures that our family farms are alerted to the fact that their business information has been requested under the Freedom of Information Law (FOIL) when the inquiry has been made, and in no way hinders the release of FOIL-derived information. It ensures that farmers are aware of a FOIL inquiry for their farm information at the time a FOIL request is made.

Farmers are on the front lines against natural (i.e., weather, disease, invasive species) and manmade (i.e., bioterrorism, water contamination) threats to the local food network that provides affordable, quality, nutritious food to the State's residents. As skilled, specialized practitioners, farmers counteract these threats through adaptive farm management and daily use of Best Management Practices. With this bill, farmers and their families will have statutory assurance that they will be alerted if and when their farm information is requested by a third party and by whom. This statutory assurance of notification will encourage farmers to continue to enroll in successful agricultural, environmental conservation, and other programs that the State and farm community have mutually developed and invested in over the past 20 years for the benefit of our family farms, our natural resources and our consumers. (Passed Senate)

S.728 (Ritchie) /A.3845 (Rosenthal) – increases the potential penalty for animal cruelty when engaging in such cruelty in the presence of a child.

This bill will serve the purpose of curtailing such conduct by increasing the potential term of imprisonment from two years to four years. (Passed Senate)

S.943-A (Funke, Avella, Brooks) /No Same As – establishes the healthy options and community outreach program to encourage small store operators to upgrade their facilities, if needed, in order to offer healthier options.

Recognizing that there are many areas across the state without a grocery store nearby, and that a local convenience store may be the only place to shop for needed groceries, this bill provides tax credits for owners who commit to selling healthy food and drinks at their shops, of up to 100% of the cost over five years, if they have to expand or purchase coolers or shelving for the purpose of selling healthier products.

In addition, under the bill, Empire State Development is tasked with implementing a public awareness campaign to explain the benefits of healthy eating as well as where to go to buy healthier products. (Committed to Rules)

S.1137 (Marcellino, Felder, Murphy) /A.8712 Thiele – Increases the maximum fine for the misdemeanor of abandonment of animals to \$2,000. (Passed Senate)

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S.3877-A (Ranzenhofer) /No Same As – clarifies that food labeling is vested exclusively with the state, and promotes uniformity of food labels across the state to best serve the consumers and producers in New York.

The bill vests jurisdiction in all matters pertaining to food labeling, exclusively with the State, preempting local rules or ordinances. (Committed to Rules)

S.4796-A (Lanza, Addabbo, Felder, Marchione, Serrano) /A.62-A(Paulin) – improves the process for animal sheltering organizations to responsibly meet the costs associated with caring for the victims of animal cruelty during a criminal investigation.

Not-for-profit humane societies, societies for the prevention of cruelty to animals, and other sheltering organizations are often left to care for the victims of animal abuse when such animals are seized from their alleged abusers. The security posting process in current law plays an essential role in helping to cover the significant costs associated with caring for these victims by authorizing courts to require the accused to place funds in an account that can be accessed by the sheltering organization to assist with providing this essential service.

The bill clarifies that impounding organizations may file petitions for a security posting with the court in which criminal charges have been filed. This will help to streamline the process for organizations seeking a security posting, and will also help to avoid unnecessary jurisdictional challenges. (Chapter 289 – Laws of 2018)

S.5127 (Helming) /A.191 (Santabarbara) – establishes the *small farm disaster recovery grant program* and provides grants for the purchase and replanting of crops destroyed by natural disaster.

Regardless of size, all farmers are vulnerable to the forces of nature, such as excessive heat, drought, flooding, or infestation. For small, newly established farms, one such natural disaster can mean the difference between failure and survival. (Passed Senate)

S.6313-A (Murphy)/No Same As – expands the eligibility for designation of land used in agricultural production by lowering the average gross sale value of the land to \$5,000 or more, and eliminates the acreage requirements.

Specifically, the bill lowers the agricultural assessment “gross sales value” threshold for properties under seven acres, from \$50,000 to \$5,000. (Passed Senate)

S.7438 (Ritchie, Gallivan)/A.9838 (Magee) – relates to certain farm wineries, farm breweries, farm distilleries and farm cideries whose business includes agricultural tourism.

The bill provides guidance to the Commissioner of Agriculture and Markets regarding the restriction of farm operations that include wineries, breweries and cideries, in designated agricultural districts. (Passed Senate)

S.7674 (Klein, Alcantara, Hamilton, Sepulveda, Valesky)/A.9835 (Crespo) – directs the department of agriculture and markets to increase the number of regional farmers’ markets for the direct marketing of foods and produce that are produced in the state. (Passed Senate)

Tuesday, March 20, 2018, at 9:00 AM, Room 411 LOB

S.299 (Murphy, Felder, Ranzenhofer) /A.95 (Paulin) – increases the penalty for multiple convictions of torturing, killing or failing to provide sustenance to an animal to a felony, if convicted within five years from the date of a prior conviction. (Passed Senate)

S.852 (Young, Funke, Larkin, O’Mara, Ranzenhofer) /A.5007 (Magee) – clarifies that the Commissioner of Agriculture and Markets and the NYS Soil & Water Conservation Committee shall be the authorities that establish the need for technical expertise on farm environmental and conservation best management practices. (Passed Senate)

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S.1432 (Ritchie, Marchione) /A. 5048 (Rosenthal) – Criminalizes knowingly causing a minor to attend a place where the exhibition of animal fighting is being conducted.

A growing body of research indicates that cruelty to animals done in the presence of children can damage their emotional development. Such children are more likely to become abusive, anti-social, less empathetic, and desensitized to abhorrent social behavior. Under this bill, New York would recognize the extremely harmful impact on children who witness animal fighting. (Passed Senate)

S.2937 (Gallivan, Avella, Ranzenhofer, Robach) /A.3903 (Paulin) – Prohibits persons who have been convicted of animal cruelty from working at an animal shelter; makes violations a class A misdemeanor. (Passed Senate)

S.3588-A (Comrie)/A.10566 (Rosenthal) – Requires the Commissioner of Agriculture and Markets to convene a Community Gardens Task Force and to issue a report. (Passed Senate)

S.3921 (Ritchie, Gallivan, Larkin, O'Mara) / A.7294 (Magee) – defines an agricultural custom operator and provides agricultural district protections when an agricultural custom operator is working on lands within an agricultural district.

Farmers often hire agricultural custom operators to complete routine farming activities such as spreading manure, harvesting crops, and spraying pesticides or spreading fertilizers. Agricultural custom operators allow farmers to manage their farm without having to invest in additional agricultural equipment as well as providing a time saver for completing essential agriculture work.

Currently, agricultural custom operators are not eligible for agricultural district protections. As a result, activities by custom operators are not subject to sound agricultural practice determinations by the Department of Agriculture and Markets. Without these protections, agricultural custom operations are open to nuisance lawsuits, jeopardizing the ability of the custom operator to complete the agricultural practice, and the farm operation's overall capability to function. (Passed Senate)

S.6339-A (Ritchie, Alcantara, Avella, Bailey, Breslin, Brooks, Funke, Hamilton, Hoylman, Kaminsky, Kavanaugh, Kennedy, Klein, Krueger, Marcellino, Mayer, Parker, Peralta, Phillips, Savino, Sepulveda, Serrano, Valesky)/A.8083-A (Magee) – directs the Commissioner of Agriculture and Markets to develop guidelines for vegetation management plans to be used by persons and corporations that make claims that they provide pollinator protection. (Chapter 399 - Laws of 2018)

S.6784 (Boyle, Tedisco)/A.72-A (Paulin) – provides additional provisions to the Agricultural and Markets law relating to the care of animals by pet dealers.

The bill requires regular diurnal light cycles of either natural or artificial light, separate space for pregnant and nursing dogs, sanitation standards for primary enclosures and cages and sanitary food receptacles, as well as grooming standards for pet dealers. (Committed to Rules)

S.7348 (Alcantara, Bailey, Hamilton)/No Same As – enacts the “*surplus food to charitable organizations act*”.

It would require supermarkets to make a reasonable effort to make surplus food available to charitable organizations that provide food to the poor, needy and disadvantaged. (Passed Senate).

S.7733 (Hamilton, Klein)/A.9860 (Ortiz) – encourages the expansion of the production of fresh fruits and vegetables by community gardens.

The bill also directs the State as well as municipalities to develop additional and safer bike lanes, and multiple use trails to encourage physical activity and reduce carbon emissions. (Committed to Rules)

S.7878-A (Funke, Helming)/A.10384-A (Woerner) – permits the electronic submission of agricultural assessment applications. (Vetoed –Veto Memo 299)

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S.7879 (Funke, Helming)/A.10413 (Woerner) – establishes an agricultural assessment on-line database for the Department of Taxation and Finance providing for single county, regional or state-wide searches for primary agricultural property classifications. (Passed Senate)

Tuesday, May 1, 2018, at 9:00 AM, Room 411 LOB

S.3374 (Sanders, Bailey)/A.7058 (Thiele) – enacts the *local food, farms and job act*.

It relates to the procurement of locally grown farm and food products and sets goals for levels of procurement by state agencies, and also creates a New York State council on food policy. (Passed Senate)

S.7395-D (Tedisco, Valesky)/ No Same As – authorizes the delivery of liquefied petroleum gas in times of emergency.

Authorizes delivery by companies that do not own the gas cylinder, container or receptacle, under certain circumstances, provided the cylinder, container or receptacle has been inspected and certified as required by law or regulation. (Passed Senate)

S.7817-A (Ritchie, Akshar, Boyle, Croci, Helming, Larkin, Little, Marchione, Ortt, Ranzenhofer, Robach, Savino)/ No Same As – establishes an open space preservation project initiative which would provide compensation to qualified property owners who forego certain development on their property.

Also known as the *military base and farmland preservation act*, it calls for providing compensation to farmers, loggers and foresters with property located near a military installation or national weather service facility, who forego the construction of wind turbines. (Committed to Finance)

S.7841 (Ritchie)/ No Same As – relates to access to viable agricultural land for new and beginning farmers

The bill directs the Commissioner of Agriculture and Markets to enhance access to viable agricultural lands for new and beginning farmers. It would also require the Commissioner of the Office of General Services to work with the Commissioner of the Department of Agriculture and Markets to develop an inventory of state-owned real property viable for farming. (Committed to Finance)

S.7843 (Ritchie)/A.10544 (Magee) – authorizes and directs the commissioner of the department of agriculture and markets to conduct a “*women in farming*” study on women who are farm operators, and the programs available to support and encourage women farmers. (Committed to Finance)

S.8072-C (O’Mara)/A.10826-A (Lupardo) – amends the definitions of concentrated cannabis and marihuana.

The bill clarifies the definitions of industrial hemp, concentrated cannabis and marihuana. (Committed to Rules)

S.8171 (Ritchie)/ No Same As – relates to agricultural districts and assessments.

The bill authorizes farms to challenge the denial of an agricultural value assessment through the small claims assessment review process. (Committed to Rules)

Tuesday, June 5, 2018, at 9:00 AM, Room 411 LOB

S.1680-A (Tedisco, Addabbo, Akshar, Amedore, Avella, Boyle, Breslin, Brooks, Croci, Dilan, Golden, Helming, Kennedy, Lanza, Larkin, Marchione, Murphy, O’Mara, Phillips, Ranzenhofer, Ritchie, Robach, Sanders, Sepulveda, Seward)/A.3038-B (Santabarbara) – enacts “Kirby’s and

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Quigley's Law" expanding the definition of aggravated cruelty to animals, to include a companion animal, during the commission of a felony. (Passed Senate)

S.1712 (Tedisco, Boyle, O'Mara, Ranzenhofer, Robach) / A.8082 (Rosenthal) – increases penalties for violating the prohibition of animal fighting, and for aggravated cruelty to animals; requires a psychiatric evaluation for defendants convicted of aggravated cruelty to animals. (Passed Senate)

S.2470 (LaValle)/A.2140 (Rosenthal) – defines "aggravated cruelty" and makes any person who commits the conduct that falls under that definition guilty of a class E felony, punishable by up to two years imprisonment.

The bill also defines "in the presence of a child" and makes any person who commits the conduct which falls under that definition, guilty of a class D felony. (Committed to Rules)

S.2472 (LaValle)/ No Same As – increases certain penalties for the crime of aggravated cruelty to animals. (Committed to Rules)

S.2501 (Tedisco, Felder, Murphy, O'Mara, Ranzenhofer, Robach) / A. 6938 (Rosenthal) – Prohibits a person convicted of "Buster's Law" from owning or possessing a companion animal unless authorized by court order, after appropriate psychiatric or psychological testing. (Passed Senate)

S.4273 (Tedisco, Addabbo, Bonacic, Boyle, Marchione, Murphy, O'Mara)/A.10049 (Ortiz) – requires each violator of "Buster's Law" to register his or her name and address with the Division of Criminal Justice Services. (Committed to Rules)

S.5309-B (Ritchie) /A.10803 (Magee) – modifies the Agriculture and Markets Law to improve certain provisions affecting the production of agricultural commodities, concerning the inspection and sale of seeds, agricultural liming materials, and commercial fertilizer.

The bill adds definitions of terms currently used, but not defined in the law, makes the laws more consistent with model laws and the laws of other states, and adds provisions to increase consumer protections against buying sub-standard or adulterated materials, by establishing maximum allowable levels of metals in fertilizer.

The bill also adds a specific section to the seed law authorizing "stop sale" orders when products are found to be in violation of the law. (Chapter 253 - Laws of 2018)

S.7375 (Ritchie, Boyle, Breslin, Gallivan, Sepulveda)/A.8851 (Ortiz) – relates to aggravated cruelty to animals.

The bill removes the requirement that a person must be found to have intended to cause extreme physical pain or to have acted in an especially depraved or sadistic manner to be guilty of aggravated cruelty to animals. (Committed to Rules)

S.7937 (Bonacic)/A.10203 (Gunther) – relates to appropriation and apportionment of moneys for the promotion of agriculture and domestic arts in Orange County.

The bill adds Cornell Cooperative Extension of Orange County to the list of entities eligible to receive funding for the promotion of agriculture and domestic arts, and thus eligible for grants awarded for county fairs. (Passed Senate)

S.8080 (O'Mara)/No Same As – includes the reckless operation of a motor vehicle that results in the serious injury or death of a companion animal in the definition of aggravated animal cruelty. (Committed to Rules)

S.8274-A (Ritchie, Avella, Sepulveda)/No Same As – relates to developing a beekeeper registry program.

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The program would provide notification that such a registry exists to the purchasers of bees and beekeeping equipment so that they can voluntarily register if they choose. (Committed to Rules)

S.8362-A (Ritchie, Alcantara, Avella, Bailey, Breslin, Brooks, Carlucci, Funke, Gallivan, Hamilton, Helming, Hoylman, Kennedy, Klein, Marcellino, O'Mara, Peralta, Phillips, Savino, Sepulveda, Serrano, Stavisky, Valesky/A.10301-B (Barrett)) – includes the use of the farmer-purchased farmland protection agreement in the commissioner's evaluation of applications for funding for agricultural protection plans.

The bill enhances the existing farmland protection grant program through the authorization of provisions that will increase the likelihood of keeping farmland in active use by a farmer after its sale to a new owner. (Chapter 158 – Laws of 2018)

S.8605 (Serino)/ A.11090 (Magee) – directs the advisory council on agriculture to study co-location of farms and renewable energy projects in an effort to enhance compatibility between renewable energy development and the protection of natural and agricultural resources. (Committed to Rules)

S.8807 (Funke) /A.10791 (Abbate) – relates to automobile tire inflation machines.

The bill vests jurisdiction over automobile tire inflation machines with the state through the Department of Agriculture and Markets, in order to ensure consistency in the regulation of tire inflation machines mandated for service stations. (Passed Senate)

S.8830 (Seward)/A.10827 (Magee) – permits the manufacture and sale of ice cream or other frozen desserts made with wine, beer or cider, or any combination thereof, similar to sales that are currently allowed for wine ice cream. (Chapter 118 – Laws of 2018)

S.8841 (Helming)/A.10097 (Woerner) – includes certain lands used in the single operation for the production of hop yards in the definition of agricultural land and provides a real property tax abatement for the owners of certain hop yards. (Chapter 192 – Laws of 2018)



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