



## 2021 ANNUAL REPORT

# NEW YORK STATE SENATE STANDING COMMITTEE ON AGRICULTURE



**SENATOR  
MICHELLE HINCHEY**  
CHAIR



**CHAIR**  
AGRICULTURE  
**COMMITTEES**  
ALCOHOLISM AND SUBSTANCE ABUSE  
COMMERCE, ECONOMIC DEVELOPMENT  
AND SMALL BUSINESS  
CULTURAL AFFAIRS, TOURISM, PARKS AND  
RECREATION  
ENERGY AND TELECOMMUNICATIONS  
ENVIRONMENTAL CONSERVATION  
LOCAL GOVERNMENT

THE SENATE  
STATE OF NEW YORK



**MICHELLE HINCHEY**  
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December 17, 2021

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

Dear Honorable Senator Stewart-Cousins:

As Chair, I am pleased to transmit the Annual Report of the Senate's Standing Committee on Agriculture for the 2021 Legislative Session and convey our efforts to support a thriving agricultural sector, which is integral to the strength of the state's economy and the well-being of the people of New York.

The Agriculture Committee met four times in the 2021 session and reported twenty eight bills out of committee. The Committee also hosted and sponsored a number of events, roundtables, and meetings, both in-person and virtually, beginning with the Committee's first-ever Agricultural Listening Tour and continuing with virtual Maple and Dairy Advocacy days, and a hearing on Diversifying Agriculture and Addressing Food Justice.

I thank my colleagues who served on the Committee for their efforts and for their support of the work that was done in the committee this year. I also want to express my appreciation to our many partners in state and local government and in the agricultural community who are working alongside us to create a strong, sustainable, diverse, and resilient agricultural sector and food system in New York. I thank you for the continued support from the Majority Conference in the committee's operations.

Sincerely,

Senator Michelle Hinchey  
Chair, Standing Committee on Agriculture

**2021 LEGISLATIVE SESSION REPORT**  
**NEW YORK STATE SENATE**  
**STANDING COMMITTEE ON Agriculture**

**Senator Michelle Hinchey, Chairperson**

Committee Members

Senator Alessandra Biaggi	Senator George Borrello - <i>Ranking Member</i>
Senator Jabari Brisport	Senator Pamela Helming
Senator Leroy Comrie	Senator Daphne Jordan
Senator Rachel May	
Senator Jessica Ramos	

Committee Staff

Leah Goldman - Chief of Staff  
Brian Coffin - Legislative Director  
Kelly Zelaya - Legislative Analyst 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. This year, legislation related to the welfare of companion animals in New York State also fell under the jurisdiction of the committee.

During the 2021 Legislative Session, one hundred and seven bills were referred to the Committee for its review. Of these bills, twenty-eight were reported from the Committee. Twenty-five were passed by the Senate, and fourteen in both houses. This work was conducted through a series of four committee meetings. A list of all bills that were reported from the Committee is provided at the end of this report.

The Senate Agriculture Committee undertook a variety of activities to promote New York-grown and -produced food and beverages, support agricultural education, build on the state's farm-to-school program, and advance the dialogue with the agricultural community on climate change solutions and diversity within the farming community. In addition, legislation was reported by the committee and ultimately passed the Senate that would protect pets and consumers from unethical breeding practices in New York State.

February 16th and February 24th: The Senate Agriculture Committee started the year with the first ever "Agriculture Listening Tour" which was held virtually over two 3 hour sessions. Outreach was done widely to agricultural businesses, associations, and advocacy groups to invite them to submit testimony and speak for a few minutes on what they see as the biggest issues and opportunities for New York's Agriculture economy going forward. Over 100 individuals replied to our outreach and forty spoke directly to members of the Agriculture Committee as part of these sessions.

March 26th: The Senate and Assembly Agriculture Committees hosted a virtual Maple Day. This event was a wonderful opportunity to showcase a wide array of New York maple products to legislators and staff. The committees partnered with the NYS Maple Association for the event. The Association showed a short clip about maple production followed by a brief presentation and Q&A.

April 13th: The Senate Agriculture Committee partnered with the Senate Committee on Labor and the Senate Committee on Social Services to host a public hearing on the topic of Diversifying Agriculture and Addressing Food Justice alongside Continuing Inequities on our Food Systems. The Committees sought input from stakeholders across the State on what systemic changes can be made to increase opportunities for BIPOC farmers, diversify management and ownership of farms, improve access to fresh and healthy food in low income communities and communities of color, and increase local ownership and input in community food systems. Additionally, the Committees welcomed testimony on all aspects of food justice and how to create a more equitable food system across New York. Twenty-seven individuals testified as part of eight panels.

May 27th: The Senate and Assembly Agriculture Committees hosted a virtual Dairy Day. This virtual webinar showcased the importance of the New York dairy industry and its products to legislators and staff. During the briefing, the Northeast Dairy Foods Association and the NY

Farm Bureau made presentations about the industry and highlighted the important work of dairy farmers and ways we can support them.

September 23rd and September 24th: The Senate and Assembly Agriculture Committee Chairs and Ranking Members co-hosted a two-day farm tour in Greene and Columbia Counties. Approximately two dozen members from across New York State attended as well as many staff members from both houses. Participants visited ten different farms and farm businesses ranging from smaller produce farms to Christmas tree farms to an indoor hydroponic fish farm.

October 13th: As a part of the Bipartisan Women's Legislative Caucus annual retreat, the Senate and Assembly Committee Chairs led a panel on "NY Food and Agriculture: Challenges and Opportunities." This was the first time agriculture was included as an official topic in the retreat agenda. Specific issues and ideas for the upcoming legislative session were discussed regarding farm sustainability, climate resilience, nutrition, new and diverse farmers, and food justice.

October 23rd: The Senate Agriculture Chair hosted an upstate apple picking and farm tour for over fifty individuals from Brooklyn, NY in cosponsorship with Senator Zellnor Myrie, Assemblymember Diana Richardson and Assemblymember Kevin Cahill.

December 13th and December 21st: The Senate and Assembly Agriculture Committee Chairs hosted two virtual information sessions for members and staff on where NY food comes from and how we can expand access to healthy food while creating a more resilient food system in New York State. They were entitled "Expanding Access to Nutritional Food & The Next Generation of Farmers" and "Climate Change & Strengthening NY Food Supply." Over thirty offices were represented at each of the sessions as the Chairs outline some of the key issues and opportunities facing New York's agriculture sector as a forward look to next session priorities.

## COMMITTEE HIGHLIGHTS

During the 2021 Session, The Agriculture Committee passed several pieces of legislation focused on expanding markets for New York farms, expanding access to healthy food for all New Yorkers, opportunities in urban agriculture and working to connect agriculture as a cornerstone in the fight against climate change. The following key bills were acted on by the committee in 2021:

**S4892A(Hinchey):** This legislation establishes the Nourish New York program, as a permanent program in law, in order to facilitate programming that ensures that certain surplus agricultural products are provided to food relief organizations at competitive wholesale prices. The Nourish New York initiative was created in April of 2020 at the height of COVID-19 pandemic shutdowns and layoffs to address two separate yet connected issues: the millions of New Yorkers turning to food banks for assistance and the supply chain disruptions that left thousands of New York farmers struggling to sell their products as their main customers — schools and hospitality businesses — closed their doors. Through Nourish New York, food banks and other emergency food providers can receive state funding to purchase agricultural products directly from New York farmers, including fresh produce, meat, and dairy, which are then distributed to families and individuals in need. This legislation also charges the Commissioner of Agriculture and Markets, in consultation with the state Department of Health to solicit an annual survey from food insecurity relief organizations assessing the needs of the Hunger Prevention Nutrition Assistance Program (HPNAP), which provides emergency food relief and nutrition services to food insecure populations in New York State. The law also addresses the issue of cold storage as emergency food providers across the state have had to turn away farm products because they do not have the cold storage capacity to keep perishable food fresh. Under the new law, the Commissioner is tasked with reviewing and reporting on the need to establish a grant program to fund the purchase of cold storage equipment for emergency food providers.

**S5083A (Bailey):** This legislation authorizes and directs the commissioner of agriculture and markets to conduct a study on urban agriculture including, but not limited to, vertical farming, community gardens and urban farming. Access to healthy affordable foods has been a longtime struggle for black and brown communities around the state. The COVID-19 pandemic shed light on food insecurity in low-income communities, with residents of those communities having limited access to fresh produce and other healthy food options. In an effort to modernize access to healthy, affordable food, as well as potentially create jobs, spread environmental awareness and reduce carbon emissions, this legislation looks to study urban agriculture and its various ways of implementation to determine how to provide food security for all residents or the state.

**S3396A (May):** This Legislation enables animal and plant-based fiber products, including wool, alpaca, cashmere, hemp, and linen, to receive the state's coveted seal of approval as part of the New York Grown and Certified program. The New York Grown and Certified program was started in 2016 to raise the profile of New York farm products and encourage development of local supply chains. Brand recognition of NY-based products has elevated markets for items ranging from maple syrup to cheese, yogurt, beer, and even Christmas trees and firewood. Products made from wool, hemp and other local plant and animal fibers are now also eligible for the program.

**S4722A (Hinchey):** This legislation, entitled the "Soil Health and Climate Resiliency Act" establishes a Soil Health Initiative, a Climate Resilient Farming Initiative, and a Research Initiative through the NYS Department of Agriculture and Markets—all steps forward to scale sustainable soil health practices that will increase carbon sequestration to help the state meet

its climate goals while improving water quality and promoting resilience to extreme weather events both on-farm and in surrounding communities. The bill charges Ag & Markets with creating voluntary science-based standards for soil health that will drive on-farm planning and goal setting, and enable farmers to take advantage of existing and new private, state, and federal funding to implement farm management practices that promote soil health. The bill also seeks to codify, for the first time in State Law, definitions of soil health and soil health practices that will lay the groundwork for future policy.

**S3152A (Comrie):** This legislation requires the Commissioner of Agriculture and Markets to convene a task force on community gardens and to issue a report with recommendations to foster their growth. A Community Garden is a shared piece of land that is used for gardening by a group of people. Community Gardens have numerous benefits, including access to fresh food with a nutritional value, can help foster a sense of stewardship, identity and ownership in a community, provide educational opportunities, can increase property values, and can even help reduce crime. Recognizing these benefits, in 1986 the state enacted Title 2-C of the Agriculture and Markets Law relating to community gardens. This section of law created a task force to promote and foster the growth of community gardens and outlined goals for the task force. However, the legislation failed to require a report from the task force to provide recommendations for steps required for policy changes to facilitate achievement of the goals. Among other things, this bill would require the task force to develop recommendations in such a report.

**S1130 (Gianaris):** This legislation prohibits the sale of dogs, cats and rabbits by retail pet shops and authorizes collaboration with entities to provide space to showcase cats or dogs owned by certain entities for the purpose of adoption. At a time where there are healthy and loving pets waiting to be adopted from animal shelters statewide, there is simply no reason to allow the sale of puppy mill animals. This bill would encourage the adoption of dogs, cats and rabbits and ensure that animals no longer have to face the cruelty, physical and psychological abuse-to which the puppy mill supply chain subjects animals.

## TWO HOUSE BILLS

In 2021, fourteen of the one hundred and seven bills referred to the Standing Committee on Agriculture passed both houses of the Legislature. Nine were signed into law by the Governor.

Bill	Sponsor	Summary	Action
S1056	Sanders	An act to amend the agriculture and markets law, in relation to the task force on improving urban and rural consumer access to locally produced, healthy foods; and providing for the repeal of such provisions upon expiration thereof	Signed, Chapter 731
S2135A	Hinchey	An act to amend the agriculture and markets law, in relation to agricultural custom operators	Signed, Chapter 282
S3152A	Comrie	An act to amend the agriculture and markets law, in relation to a community gardens task force	Signed, Chapter 635
S3396A	May	An act to amend the agriculture and markets law, in relation to the promotion of New York state animal and plant fiber	Signed, Chapter 285
S4089	Hinchey	An act to amend the agriculture and markets law, in relation to a public awareness campaign regarding Lyme disease and other tick-borne diseases	Signed, Chapter 648
S4722A	Hinchey	An act to amend the agriculture and markets law and the soil and water conservation districts law, in relation	Signed, Chapter 735

		to establishing the soil health and climate resiliency act	
S4892A	Hinchey	An act to amend the agriculture and markets law, in relation to the Nourish New York program	Signed, Chapter 631
S5083A	Bailey	An act to authorize and direct the commissioner of agriculture and markets to conduct a study on urban agriculture	Signed, Chapter 747
S5751	Hinchey	An act to amend the agriculture and markets law, in relation to the manufacturing, sale, branding and labeling of beech sugar and beech syrup	Signed, Chapter 195
S6330A	Hinchey	An act to amend the agriculture and markets law, in relation to requiring the department of agriculture and markets to develop and maintain a database of New York state farms and farm products	Signed, Chapter 751
S6713	Hinchey	An act to amend the agriculture and markets law, in relation to animal response teams	Signed, Chapter 204
S6714	Hinchey	An act to amend the agriculture and markets law, in relation to import of dairy products and payment from the milk producers security fund	Signed, Chapter 228
S6850A	Kennedy	An act to amend the agriculture and markets law, in relation to alternative fuel standards and specifications	Signed, Chapter 334

## SUMMARY OF COMMITTEE ACTIVITY

Bill	Sponsor	Summary	Significant Action
S90	Kaminsky	An act to amend the agriculture and markets law and the penal law, in relation to detecting, disrupting and dismantling violent enterprise animal cruelty and appropriately punishing individuals associated with such enterprise cruelty; and to repeal certain provisions of the agriculture and markets law relating thereto	Passed Senate
S549A	Sanders	An act to amend the agriculture and markets law, the state finance law, and the economic development law, in relation to procurement of locally grown farm and food products and codifying the New York state council on food policy	Passed Senate
S960	Krueger	An act to amend the agriculture and markets law, in relation to aggravated cruelty to animals	Passed Senate
S1056	Sanders	An act to amend the agriculture and markets law, in relation to the task force on improving urban and rural consumer access to locally produced, healthy foods; and providing for the repeal of such provisions upon expiration thereof	Delivered to Governor 12/10/21
S1101A	Kaminsky	An act to amend the agriculture and markets law, in relation to requiring animal shelters and animal rescue groups to disclose whether a dog has known behavioral issues	Reported and Committed to Rules

S1130	Gianaris	An act to amend the agriculture and markets law and the general business law, in relation to the sale of dogs, cats and rabbits	Passed Senate
S1289	Brooks	An act to amend the agriculture and markets law, in relation to establishing Buoy's law relating to requiring veterinarians to notify owners of potential risks and side effects of medication prior to prescribing or otherwise providing medication to an animal	Reported and referred to Higher Education
S2135A	Hinchey	An act to amend the agriculture and markets law, in relation to agricultural custom operators	Signed, Chapter 282
S2199	Kennedy	An act to amend the agriculture and markets law, in relation to the expansion of regional farmers' markets	Passed Senate
S2942A	Comrie	An act to amend the agriculture and markets law, in relation to frozen desserts micro-business and in relation to establishing frozen desserts micro-business grant program	Reported and committed to Finance
S3152A	Comrie	An act to amend the agriculture and markets law, in relation to a community gardens task force	Signed, Chapter 635
S3227	Perasud	An act to amend the agriculture and markets law, in relation to requiring the department of agriculture and markets to post the results of its graded inspections on their website	Reported from Committee

S3396A	May	An act to amend the agriculture and markets law, in relation to the promotion of New York state animal and plant fiber	Signed, Chapter 285
S4072	Hinchey	An act to amend the agriculture and markets law, in relation to establishing a one-stop farming hotline	Passed Senate
S4081A	Hinchey	An act to amend the agriculture and markets law, in relation to requiring property owners and lessors of certain properties that have been vacated to inspect such property for abandoned animals	Passed Senate
S4089	Hinchey	An act to amend the agriculture and markets law, in relation to a public awareness campaign regarding Lyme disease and other tick-borne diseases	Signed, Chapter 648
S4136	Savino	An act to amend the agriculture and markets law, in relation to direct marketing activities; to amend the alcoholic beverage control law, in relation to issuance of licenses to motion picture theaters to sell wine and beer; and providing for the repeal of certain provisions upon the expiration thereof	Referred to Economic Development
S4707	Parker	An act to amend the agriculture and markets law, the tax law and the environmental conservation law, in relation to enacting the carbon farming act	Passed Senate
S4722A	Hinchey	An act to amend the agriculture and markets law and the soil and water conservation districts law, in relation to	Delivered to the Governor 12/10/21

		establishing the soil health and climate resiliency act	
S4892A	Hinchey	An act to amend the agriculture and markets law, in relation to the Nourish New York program	Signed, Chapter 631
S5083A	Bailey	An act to authorize and direct the commissioner of agriculture and markets to conduct a study on urban agriculture	Signed, Chapter 747
S5751	Hinchey	An act to amend the agriculture and markets law, in relation to the manufacturing, sale, branding and labeling of beech sugar and beech syrup	Signed, Chapter 195
S6209	Serrano	An act to amend the agriculture and markets law, in relation to informed consent of owners for euthanasia of a pet	Committed to Rules
S6330A	Hinchey	An act to amend the agriculture and markets law, in relation to requiring the department of agriculture and markets to develop and maintain a database of New York state farms and farm products	Signed, Chapter 751
S6713	Hinchey	An act to amend the agriculture and markets law, in relation to animal response teams	Signed, Chapter 204
S6714	Hinchey	AN ACT to amend the agriculture and markets law, in relation to import of dairy products and payment from the milk producers security fund	Signed, Chapter 228

S6850A	Kennedy	An act to amend the agriculture and markets law, in relation to alternative fuel standards and specifications	Signed, Chapter 334
S7111	Hinchey	AN ACT to amend the agriculture and markets law and the real property tax law, in relation to bee health and the beekeeping industry; and to repeal certain provisions of the agriculture and markets law relating thereto	Signed, Chapter 160



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