



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

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

MEMBER

JOINT SENATE TASK FORCE ON OPIOIDS,
ADDICTION AND OVERDOSE PREVENTION

THE SENATE
STATE OF NEW YORK



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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 transmit the Annual Report of the Senate's Standing Committee on Agriculture for the 2022 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction.

During the 2022 session, this committee met five (5) times and reported twenty-seven (27) bills. As Chair of the committee, I participated in two (2) roundtables relating to Agriculture and attended a number of farm and ag-business tours to see firsthand the work being done by farmers and others in New York's \$6 billion agricultural economy.

I thank my colleagues who served on the Committee for their efforts to bolster and strengthen the agricultural industry this year, and I thank you for the continued support from the Majority Conference in the committee's operations. Looking ahead, New York agriculture has a critical role to play in the future of our state's economy, the safety of our food supply, and the protection of our planet. It is important that we continue to work together to ensure that the agriculture sector has the support it needs to flourish while we shift to a long-term sustainable future, and that includes readying

the next generation of farmers, ensuring access to land, equipment and capital, and preserving the millions of acres of farmland we have across our state that are currently at risk of development.

Sincerely,

A handwritten signature in blue ink that reads "Michelle Hinchey". The script is fluid and cursive, with the first letter of each name being capitalized and prominent.

Senator Michelle Hinchey

2022 LEGISLATIVE SESSION REPORT

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

Senator Michelle Hinchey, Chairwoman

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

Anna Markowitz - Chief of Staff

Brian Coffin - Legislative Director

Alyvia Lewter - 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.

Throughout the 2022 Legislative Session, one hundred twenty-two (122) bills were referred to the Committee for its review. Of these bills, thirty-two (32) were reported from the Committee. Thirteen (13) 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 bills that were reported from the committee is provided at the end of this report.

At the committee's meeting on February 2, 2022, we welcomed the Dean of Cornell CALS, Benjamin Z. Houlton. Benjamin is the 12th Ronald P. Lynch Dean of the College of Agriculture and Life Sciences and a Cornell University professor of Ecology and Evolutionary Biology as well as Global Development. He provided the committee with a presentation on Soil Carbon Sequestration Opportunities for NY farmers and the role of agriculture in helping to solve the climate crisis.

During the New York State Association of Black, Puerto Rican, Hispanic & Asian Legislators Caucus Day on April 10, 2022, I hosted a workshop in partnership with Senator Persaud titled "BIPOC Leadership and Opportunity in Farming and Food Systems". In this workshop, we discussed ways the State can help solidify opportunities for BIPOC farmers, strengthen food systems in our more urban areas, and increase BIPOC participation in the agriculture sector.

In addition to hosting regular committee meetings, as Chair, I toured 20 farms across New York State to hear directly from our farmers. The farm tours took place throughout the summer and fall and included visits to fruit farms like Fix Brothers Farm in Hudson, cannabis and vegetable farms like Hepworth Farm in Milton, dairy processing plants like Hudson Valley Fresh in Kingston, and angus beef farms like Trowbridge in Ghent.

I was proud to be able to join NYS Dept. of Agriculture and Markets Commissioner Richard Ball and the Owner of Crosstown Maple, Kevin Reinisch, on March 26, 2022, for the second NYS Maple Weekend. We toured the property and tapped a maple tree to see the process that our more than 2,000 sugarmakers across the state use to create their delicious product.

During the New York Farm Bureau's Future of Agriculture Summit in Syracuse on July 20, 2022, I participated in a panel about Engaging with Non-Farm, Urban Constituencies. Building a strong connection between urban Legislators and our farmers is essential to foster an understanding of where our food comes from and create a stronger pipeline of New York-grown food to New York City.

On August 1, 2022, I was proud to host NYS LT. Governor Antonio Delgado and NYS Dept. of Agriculture and Markets Commissioner Richard Ball on a farm tour in Ulster County. We visited Wallkill View Farmers Market, Minards Family Farm, and held a farm roundtable with farmers from across the Hudson Valley at Stout Ridge Winery. We concluded the day at SUNY New Paltz with a listening session led by NYS LT. Governor Antonio Delgado to hear concerns and suggestions relating to the Federal Farm Bill.

I also had the pleasure of touring the Ulster and Columbia County Fairs this year. At the Ulster County Fair on August 3, 2022, the Cornell Cooperative Extension 4H program hosted a tour where youth members showcased the livestock they care for. At the Columbia County Fair on September 3, 2022, we were joined by Agriculture and Markets Commissioner Richard Ball, Assemblywoman Didi Barrett, and other leaders from the agriculture industry. The County Fairs are sponsored by the NYS Association of Agriculture Fairs and are a great way to highlight the importance of the agriculture sector to local residents.

NY Farm Bureau Vice President Eric Ooms organized two days of farm tours for us on September 12th and October 10th to showcase important farms and farm businesses in the Hudson Valley. On Sept. 12th, we visited Trowbridge Angus in Ghent, The Berry Farm in Chatham, Dutch Hollow Farm in Schodack Landing, and Golden Harvest Farm in Valatie. On Oct 10th, we visited Green Acres Farm in Hudson, Lo Nan Farm in Pine Plains, Boschee Farm in Germantown and Vosburgh Orchards and Brewery in Elizaville. Meeting and discussing issues with our local farmers is essential to creating policies that will strengthen their businesses and help them grow.

My office also participated in a tour of Cornell University's College of Agriculture and Life Sciences program in Ithaca, NY on October 4, 2022. During the tour, my office learned about the research being done on Climate Resilient Farming, their Greenhouse Lighting project and other Cornell programs. Cutting-edge programs like these allow for farms to learn and innovate so that we can improve farming practices across our state for the future.

On October 20, 2022, I toured Hearty Roots Farm in Germantown and held a roundtable with USDA Under Secretary for Marketing and Regulatory Programs Jennifer Moffitt. We discussed local and regional food systems and different strategies to promote direct-to-consumer sales and the farm owners showcased how the funding of a recent USDA grant improved their operations.

And, on December 13, 2022, I addressed Cornell's New York Soil Health Summit and spoke about the work that is being done on a state level to promote soil health and climate resiliency as well as ways to bolster the positive impacts of agriculture across our state. These three (3) topics will continue to be a priority for me as Chair of this committee.

COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2022:

- 1) **S1130 Gianaris/A4283 Rosenthal** - This bill would put an end to the unhealthy breeding practices that are associated with puppy mills. Oftentimes these puppy mill animals are abused from birth which leads them to go on to develop behavioral issues or poor health despite the hefty price tag attached to them. This legislation would encourage the adoption of dogs, cats, and rabbits to be as healthy and cruelty-free as possible from animal shelters across the state.
- 2) **S8059-A Bailey/A9644 Cruz** - 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. In time, residents of the state will begin to reap the long-term benefits of urban farming like reduced transportation costs, and better air quality thus creating healthier communities for everyone. Urban agriculture creates an avenue for urban communities, with limited access to fresh produce, to produce their own fresh, healthy foods for their residents.
- 3) **S8084-A Hinchey/A9283 Peoples-Stokes** - This bill is necessary to allow for a timely establishment of the adult-use cannabis market by allowing for the temporary conditional cultivation and processing of adult-use cannabis as soon as is feasible. This bill will be particularly helpful in providing social equity retail dispensary licensees with products on day one of retail sales. Additionally, this bill will facilitate interested social equity cultivators and processors with a pathway to licensure through invaluable experience and knowledge gained by partnering with current experienced hemp cultivators and processors through a social equity mentorship program. This bill will ultimately strengthen the social equity program, and assist in achieving the goal that fifty percent of all licenses be awarded to local equity applicants. In addition to the social equity mentorship program, this bill establishes appropriate guidelines and restrictions on the scope of the conditional licenses, including requiring that conditional licensees interested in full licenses be in good standing, meet all licensure requirements, and separately apply for full licenses. Additionally, this bill will require the cultivation and processing of adult-use cannabis to be done in an environmentally

responsible manner and provides appropriate oversight by the OCM and the Cannabis Control Board.

- 4) **S8496 Hinchey/A9282 Lupardo** - New York is a leader in the cultivation and processing of hemp, especially for cannabinoid hemp. The market for New York industrial hemp is still developing and the state needs to take an active role in researching, identifying, and promoting hemp to industries that may incorporate it into their products. For example, as the market for sustainable, biodegradable non-petroleum-based packaging grows, so do the opportunities for New York produced industrial hemp as an ingredient in these products. This legislation will encourage renewed focus by the State to work with growers, processors, and businesses that are end users to expand market opportunities.

TWO-HOUSE BILLS

In 2022, eleven (11) of the one hundred twenty-two (122) bills referred to the Standing Committee on Agriculture passed both houses of the Legislature. Of these bills, the Governor has signed ten (10) and vetoed one (1).

Bill	Sponsor	Summary	Action (Chapter X of 2021, Veto X of 2021, or “On the Governor’s Desk” if not yet acted on)
S549B	Sanders	Enacts the local food, farms, and jobs act; relates to the procurement of locally grown farm and food products; creates the New York state council on food policy.	Signed Chap .645
S1130	Gianaris	Prohibits the sale of dogs, cats and rabbits by retail pet shops; authorizes collaboration with entities to provide space to showcase cats or dogs owned by certain entities for the purpose of adoption.	Signed Chap .681
S1289B	Brooks	Requires veterinarians to provide certain information to animal owners regarding the drugs dispensed to an animal, including the name and description of the drug; the directions for use; actions to be taken in the event of a missed dose; instructions for proper storage; any common	Signed Chap .678

		reasonably anticipated adverse effects associated with the use of such drug; and manufacturer precautions and relevant warnings.	
S3212A	Sepulveda	Permits commercial feed manufacturers to use the term "human food grade" for certain pet food if it conforms to certain state and federal standards.	Vetoed memo .101
S6870B	Addabbo	Relates to standards of care for animals held in, or being transported by, animal shelters; establishes an animal shelter regulation fund.	Signed Chap .683
S7861A	May	Directs the department of agriculture and markets, in cooperation with NYSERDA and institutions of higher education, to develop and produce guidance and educational materials for farmers on the use of agrivoltaics in farming; requires the department of agriculture and markets to provide a booth at the state fair for the purpose of educating the general public on the use of agrivoltaics in farming.	Signed Chap .629
S8084A	Hinchey	Provides a conditional adult-use cultivator license to process and distribute	Signed Chap .18

		cannabis flower products without holding an adult-use processor or distributor license; provides a conditional adult-use processor license to process and distribute cannabis products; provides for the repeal of certain provisions upon the expiration thereof.	
S8426	Skoufis	Authorizes the delivery of liquefied petroleum gas in times of emergency.	Signed Chap .663
S8496	Hinchey	Relates to industrial hemp development by including representatives from the New York state hemp workgroup and representatives from industries that currently use or may use industrial hemp in their products.	Signed Chap .606
S8772A	Harckham	Includes Putnam county in the lower mid-Hudson region for the purposes of alternate generated power sources at retail gasoline outlets.	Signed Chap .659
S8973	Hinchey	Authorizes the return of a dog to its owner or custodian.	Signed Chap .680

SUMMARY OF COMMITTEE ACTIVITY

Bill	Sponsor	Summary	Significant Action (Chapter X of 2021, Veto X of 2021, On the Governor's Desk, Passed Senate Only, or Reported from Committee)
S549B	Sanders	Enacts the local food, farms, and jobs act; relates to the procurement of locally grown farm and food products; creates the New York state council on food policy.	Signed Chap .645
S960	Krueger	Relates to aggravated cruelty to animals.	Referred to Agriculture
S1125	Gianaris	Restricts the performance of surgical devocalization procedures on dogs and cats.	Recommitted to Rules
S1130	Gianaris	Prohibits the sale of dogs, cats and rabbits by retail pet shops; authorizes collaboration with entities to provide space to showcase cats or dogs owned by certain entities for the purpose of adoption.	Signed Chap .681
S1289B	Brooks	Requires veterinarians to provide certain information to animal owners regarding the	Signed Chap .678

		drugs dispensed to an animal, including the name and description of the drug; the directions for use; actions to be taken in the event of a missed dose; instructions for proper storage; any common reasonably anticipated adverse effects associated with the use of such drug; and manufacturer precautions and relevant warnings.	
S1744A	Skoufis	Establishes a youth development agriculture technology challenge.	Reported and committed to Finance
S2199	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.	Referred to Agriculture
S3212A	Sepulveda	Permits commercial feed manufacturers to use the term "human food grade" for certain pet food if it conforms to certain state and federal standards.	Vetoed Memo .101
S3227B	Persaud	Requires the department of	Referred to Agriculture

		<p>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.</p>	
S4072	Hinchey	<p>Establishes a one-stop farming hotline with the Cornell cooperative extension.</p>	Referred to Agriculture
S4081A	Hinchey	<p>Relates to the inspection of property that has been vacated for abandoned animals; requires property owners and lessors to inspect such property within three</p>	Referred to Agriculture

		days and to immediately notify the appropriate authorities when such person finds an animal which appears to be abandoned.	
S4107	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.	Referred to Agriculture
S6870B	Addabbo	Relates to standards of care for animals held in, or being transported by, animal shelters; establishes an animal shelter regulation fund.	Signed Chap .683
S7487C	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.	Print number 7487C

S7585	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.	Referred to Agriculture
S7653	Hinchey	Lowers the qualification amounts of acreage and annual sales for the purposes of agricultural assessments.	Reported and committed to Finance
S7678A	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	Reported and committed to Finance

		experience.	
S7861A	May	Directs the department of agriculture and markets, in cooperation with NYSEERDA and institutions of higher education, to develop and produce guidance and educational materials for farmers on the use of agrivoltaics in farming; requires the department of agriculture and markets to provide a booth at the state fair for the purpose of educating the general public on the use of agrivoltaics in farming.	Signed Chap .629
S8059A	Bailey	Establishes the office of urban agriculture.	Referred to Agriculture
S8084A	Hinchey	Provides a conditional adult-use cultivator license to process and distribute cannabis flower products without holding an adult-use processor or distributor license; provides a conditional adult-use processor license to process and distribute cannabis	Signed Chap .18

		products; provides for the repeal of certain provisions upon the expiration thereof.	
S8088	Hinchey	Relates to the construction, installation and operation of dual-use solar energy projects on certain land which receives an agricultural assessment; defines dual-use solar energy project as a solar installation that integrates solar arrays and farming activity on the same ground.	Reported and committed to Finance
S8250A	Hinchey	Establishes the New York state meat processing expansion grant program to encourage the expansion of meat processing enterprises throughout the state.	Reported and committed to Finance
S8426	Skoufis	Authorizes the delivery of liquefied petroleum gas in times of emergency.	Signed Chap .663
S8496	Hinchey	Relates to industrial hemp development by including representatives from the New York state	Signed Chap .605

		hemp workgroup and representatives from industries that currently use or may use industrial hemp in their products.	
S8772A	Harckham	Includes Putnam county in the lower mid-Hudson region for the purposes of alternate generated power source at retail gasoline outlets.	Signed Chap .659
S8973	Hinchey	Authorizes the return of a dog to its owner or custodian.	Signed Chap .680
S9445	Gianaris	Restricts the performance of surgical devocalization procedures on dogs and cats.	Referred to Agriculture



Annual Report 2022

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Committee on Agriculture**