

# 2024 POLICY BOOK

The policies that follow were adopted by New York Farm Bureau county delegates at the State Annual Meeting on December 6, 2023, in Tarrytown, New York.

The mission of New York Farm Bureau is

***“Supporting today’s agricultural needs and creating member opportunities for tomorrow through advocacy and education.”***

The forward-looking NYFB vision is

***“The voice of New York agriculture that unites a diverse farm community and builds a stronger food system and rural economy.”***

## FARM BUREAU ORGANIZATION

Farm Bureau is a non-governmental, volunteer organization financed and controlled by member families for the purpose of solving economic and public policy issues challenging the agricultural industry.

Farm Bureau’s “grassroots” policy development process continues to ensure that the organization represents the majority position of its membership. Policy development begins at the county level with problem identification and culminates at the New York Farm Bureau Annual Meeting with resolutions addressing the issues.

Our success in implementing policies depends upon our active, well-informed membership guided by the efforts of many dedicated volunteer leaders.

## AGRICULTURE IN NEW YORK

Agriculture is New York’s most important industry. The farm economy generated more than \$5 billion in 2017.

There are more than 33,400 farms in New York State and 99 percent of those are family owned. A viable and strong agricultural industry is not only beneficial to the state’s farm and food industry, but to the economy of the state, hundreds of local communities, and to all consumers of New York.

# **NEW YORK FARM BUREAU**

New York has a tremendous agricultural resource base with abundant rainfall, productive soil, sufficient growing season, and proximity to the nation's largest markets. The outlook for the future of New York agriculture is one of great potential for a vigorous and thriving industry.

## **NYFB PRIORITY ISSUES**

### **Criteria for Determining Priority Issues**

- The issue must have a broad-based agricultural impact.
- The issue must be of significant interest to county Farm Bureaus.
- The issue must impact farmers' ability to conduct business, make a profit, or affect quality of rural living.
- The issue should attract member interest in anticipation of drawing their active participation.
- The issue should have a reasonable chance of being resolved.

## **STATE GENERAL PRIORITIES**

- Support critical funding for current agricultural animal health (such as the Avian Disease Program), promotion, research, and environmental programs in the final FY 24/25 state budget.
- Support renewable energy policies that incorporate common sense time frames for adoption based upon grid capacity and the practical realities of electrification of New York State.
- Continue funding support the Nourish-NY program to help farmers provide local, healthy food to underserved and food-insecure communities in the state.

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- Oppose legislation that prohibits the use of agricultural chemical protectants and support DEC's regulatory authority over pesticide registration in accordance with sound science.
- Support legislation allowing direct to consumer shipping for all New York-produced farm beverages, including beer, cider, and distillates.
- Oppose Extended Producer Responsibility legislation that doesn't require consumer responsibility for packaging they receive and doesn't unduly burden New York's food and wine manufacturing businesses. We support establishing an infrastructure and market for recycled plastics that is incentive based and economically viable, especially in rural areas. To address these issues we support exploring an expansion of the current bottle bill statute.
- Incentivize more locally produced food purchases by public entities without values-based purchasing requirements.
- We support addressing transportation issues to facilitate the shipment of food products and farm equipment in New York State, including:
  - A limit on how many times commercial vehicles have to stop at a DOT inspection checkpoint in a certain time period, especially if that vehicle is carrying livestock, fish, bees or other perishable commodities.
  - An exemption from CDL for farm owners and employees hauling farm equipment or produce within 150 miles of a farm without an F or G endorsement, similar to exemptions in other states.
- Ensure that the Departments of Environmental Conservation and Health continue to regulate water quality standards in accordance with federal law.
- Support full funding of the Healthy School Meals For All program.

# **NEW YORK FARM BUREAU**

## **NEW YORK FARM BUREAU BELIEFS**

- America's unparalleled progress is based on freedom and dignity of the individual, sustained by basic moral and religious concepts. Economic progress, cultural advancement, ethical and religious principles flourish best where people are free, responsible individuals.
- Individual freedom and opportunity must not be sacrificed in a quest for guaranteed "security."
- We believe in government by legislative and constitutional law, impartially administered, without special privilege.
- We believe in the representative form of government—a republic—as provided in our Constitution, in limitations on government power, in maintenance of equal opportunity, in the right of each individual to freedom of worship and in freedom of speech, press, and peaceful assembly.
- Individuals have a moral responsibility to help preserve freedom for future generations by participating in public affairs and by helping to elect candidates who share their fundamental beliefs and principles.
- People have the right and the responsibility to speak for themselves individually or through organizations of their choice without coercion or government intervention.
- Property rights are among the human rights essential to the preservation of individual freedom.

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- We believe in the right of every person to choose an occupation; to be rewarded according to his contribution to society; to save, invest or spend; and to convey his property to the next generation.
- Each person has the responsibility to meet financial obligations incurred.
- We believe that legislation and regulatory policy should prioritize the self-employed farmers and businesses that are critical to our state's economy.
- We believe that legislation and regulations favorable to all sectors of agriculture should be aggressively developed in cooperation with allied groups possessing common goals.

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## SECTION 1: AGRICULTURAL ISSUES

### AGRICULTURAL ASSESSMENTS

#### **POLICIES:**

1. We support the agricultural assessment program.
2. We believe that the final agricultural use values should be publicly released at least 90 days in advance of the deadline for signing up for agricultural assessment.
3. We are opposed to stiffer penalties upon conversion of land receiving an agricultural assessment.
4. We recommend that applications for agricultural assessment be mailed at least 60 days prior to taxable status date.
5. We recommend that the 50-acre per parcel limit for owned woodland be removed and the assessment be based on the total number of woodland acres.
  - a. We support increasing the amount of gross agricultural sales from wood products from \$2,000 to \$10,000.
  - b. We support treating rented land the same as owned land for woodlots with regards to an agricultural assessment;
6. We support a change in the language of the Agriculture Assessment Law from "Agriculture Exemption" to "Agriculture Use Assessment."
7. We support a change in the language of the Agriculture Assessment Law from "Agriculture Exemption" to "Agriculture Use Assessment."
8. We support creating an assessment code through the New York State Department of Agriculture and Markets for conservation practices (i.e., buffers, filter strips and riparian areas) that are installed for water quality to provide opportunities for landowners to help protect water quality through a self-certification process in accordance with specific standards outlined by Good Agricultural Practices through USDA Natural Resource Conservation Services.
9. We support counting rented land in calculating the minimum acreage requirement for agricultural assessment eligibility.
10. We support legislation that would allow, with proper reporting, products grown or raised and consumed on a farm to be included in the calculation of farm income for the purpose of agricultural assessment eligibility.
11. We are opposed to vacant land being assessed at the highest and best use.
12. We recommend that the following agricultural uses be included in agricultural assessments:
  - a. Game birds;
  - b. Lands for on-farm processing and/or retail merchandising;
  - c. Land used for certified agricultural research;
13. We support agricultural assessment on all acreage used by any farm operation exceeding \$5,000 in annual sales, regardless of acreage.
14. We support moving the agricultural assessment program from the New York State Department of Taxation and Finance to the New York State Department of Agriculture and Markets.

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15. We support the creation of an Agricultural Assessment Specialist position within the New York State Department of Agriculture and Markets. We further support additional training programs be mandated to local assessors for agricultural assessments and property valuation.
16. We support allowing the New York State Department of Agriculture and Markets defined beginning farmers who purchase land for farming purposes being eligible to receive an agriculture assessment their first year of farming, even if they don't earn the required minimum gross income to be eligible, as defined on a Schedule F tax form, but those farms should be required to pay back those tax savings if they do not reach the minimum gross income threshold in year two of operation.
  - a. We support amending the agricultural assessment program to allow landowners who have formerly qualified for the program and are now retired to continue to receive the assessment without having to meet the minimum gross income threshold so long as the property continues to remain in agricultural production.
17. We support that the New York State Department of Taxation and Finance should make recommendations to local assessors as to the depreciation schedule and valuing of greenhouses for assessment purposes after the ten-year real property tax exemption expires.
18. We support mandating that fire, rescue, library and other ad valorem taxing districts use agricultural assessment values when calculating property taxes.
19. We support the New York State Department of Taxation and Finance modifying the current Agriculture Renewal Exemption Form to a fill-in online form and modify the Five-Year Lease Agreement to allow the farmer to renew the agricultural exemption. The paper forms would still be available.
20. We support the New York State Department of Taxation and Finance posting agricultural sale of properties online using Systems Development Group Farm Sales information to be more comprehensive and accessible to farmers.
21. We urge the New York State Legislature to amend the Agricultural Markets Law, in relation to authorizing the assessor to extend the filing deadline of a renewal application for an agricultural assessment after taxable status date when good cause is shown for the failure to file the application by such date.

## **AGRICULTURAL BIOTECHNOLOGY**

### **POLICIES:**

#### **We support:**

1. Farmers being allowed to use federally approved genetically modified products and available new related technologies so New York farmers are not operating at a competitive disadvantage.
2. The usage of agricultural biotechnology to improve crop varieties, enhance nutritional quality, and reduce pesticide applications. Regu-

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lations for biotechnology products are more appropriately done at the federal level, so that all farmers and research institutions are subject to the same guidelines. Furthermore, we support additional research and testing at the state and federal levels of genetically modified products and development of new crop varieties.

3. Educational outreach to consumers on the benefits and risks of agricultural biotechnology, and an increased awareness campaign to dispel misinformation on such products.
4. Legislation that would prohibit GMO seed manufacturers or companies from suing farmers for patent infringement when GMO plants in a farmer's fields do not originate from that farmer planting GMO seeds or plants.
5. The establishment of a Plant Innovation Center and High Throughput Phenotyping capacity at Cornell University, designed to streamline traditional and precision breeding technologies to better deploy new plant varieties to meet changing consumer preferences, nutrition, and climate conditions in New York.
6. That industry and university-generated studies on biotechnology-derived crops be made more easily available to the public and the agricultural community in order to promote education and awareness.
7. That biotech seed labeling requirements for New York State should not be different from federal labeling requirements, as long as all seeds continue to be labeled.
  - a. We support clear labeling of "GMO" on seed packets sold to vegetable and casual growers.

## **We oppose:**

1. Any moratorium or ban on genetically modified organisms (GMOs).
2. Mandatory labeling of genetically modified products, except seed sold for planting.
3. Individual localities establishing policies on agricultural biotechnology labeling.
4. Legislation that would require any state agency or commission to study whether crops grown through the use of biotechnology are safe to grow or negatively impact wildlife or human health.

## **AGRICULTURAL DISTRICTS LAW**

The Agricultural Districts Law provides a means, through farmer initiative, to deter activities that threaten agriculture. The law has numerous provisions intended to encourage the continuation of farming in the state. New York Farm Bureau strongly supports the Agricultural Districts Law and will continue to work to strengthen its role in maintaining a viable agricultural industry in the Empire State.

## **POLICIES:**

1. We recommend that the New York State Department of Agriculture and Markets receive adequate funding in order to enforce the provisions of the Agricultural Districts Law.

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2. We support strengthening the Notice of Intent procedures that would:
  - a. Give the Commissioner of the New York State Department of Agriculture and Markets the right to demand mitigation and/or alternatives to public and private projects in an agricultural district. Mitigation and alternatives should protect the viability of remaining agricultural operations.
  - b. Require the filing of a Notice of Intent if there is a proposed change in the land use of publicly owned land in, or adjacent to, an agricultural district; and
  - c. Include all land subject to agricultural assessment.
3. We support the concept of the landowners' waiver provision in the Notice of Intent procedures.
4. We support legislation that would more specifically define the term "emergency" as it relates to overriding provisions of the Agricultural Districts Law.
5. We recommend that the County Agriculture and Farmland Protection Board review proposed changes to any zoning ordinance, comprehensive plan or site plan, and review any new local laws that include agricultural district land.
6. We support the addition of accessory uses including but not limited to agritourism, vertical farming, cannabis, etc. to the definition of agriculture in the Agricultural Districts Law.
7. We support enforcement and increased penalties to the seller and/or REALTOR® for failure of disclosure of property in an agricultural district or within 500 feet of an agricultural district on agricultural data statements. There must be a signed notice of disclosure transfer in perpetuity with the recorded deed.
8. We support maintaining the Right to Farm Laws and Agricultural Districts Laws.
9. We recommend the definition of a farm market and farm stand allow the ability to expand and/or change marketing efforts and/or strategies without regulation by an individual municipality.
10. We recommend that for the sole purpose of determining a sound agriculture practice option, the Commissioner of the New York State Department of Agriculture and Markets may use agriculture practices supported by land-grant universities as a guide.
11. We favor a loss of state aid for towns and municipalities that violate the State's Agricultural Districts Law.
12. We support any efforts from the New York State Department of Agriculture and Markets, New York State Agricultural Mediation Program and NY FarmNet to be more proactive in educating town officials, police departments, farmers and non-farm residents of agricultural communities about agricultural practices, Agricultural Districts Law, Agriculture and Markets Law and Right to Farm Law to help prevent and mediate neighbor disputes.
13. We support the conversion of a structure designed, constructed or used for human habitation to an agricultural building if said structure is within an agricultural district. Such conversion may require a permit from local code enforcement but shall require no inspection.
14. We oppose the requirement of any asbestos survey being required by

Code Rule (56) on any property located within an agricultural district if said renovation or demolition is performed by the property owner.

15. We support Article 25-AA Section 301 of Agriculture and Markets law to include:
  - a. The current employment of land for the primary purpose of obtaining a profit by stabling or training equines, including but not limited to providing riding lessons, training clinics, and schooling shows, and other on-farm niche marketing promotion.
  - b. The employment of real property for the purpose of generating renewable energy to conduct agricultural operations.

### **AGRICULTURAL MARKETING AND PROMOTION**

New York State's agriculture industry has the potential for vast economic growth if it takes advantage of the numerous available marketing opportunities. Product marketing and promotion are key concepts to obtaining this goal. Public and private sector programs should aggressively meet the challenge of making New York agricultural branded products the premier of choice among consumers.

#### **POLICIES:**

1. We support a comprehensive effort by the state of New York which will invest in programs to increase consumer demand for New York agricultural products. Specifically, we support:
  - a. Funding for programs which will promote quality New York agricultural produce and products at regional, national and international levels.
  - b. Funding for marketing, operations, promotion and improvements for farm market facilities.
  - c. Promotion of agricultural tourism and agricultural education to the general public.
  - d. Use of matching industry funds for market research.
  - e. Working with farmers to establish "niche" markets for farm processed products.
  - f. Using the New York State Trade Office to promote New York State farm products.
  - g. That farm stands, CSAs and farm markets be allowed and encouraged to accept any government assistance programs such as SNAP, EBT, WIC, etc.
  - h. We encourage New York State Department of Agriculture and Markets to provide assistance in the application process for small-scale food retailers and on-farm sales to implement food voucher and check programs.
  - i. An incentive program for food manufacturers to buy New York-grown products.
2. We recommend that New York agricultural colleges and Cornell Co-operative Extension place a greater priority on marketing and applied research.
3. We support the New York Farm Viability Institute, which involves public funding with farmer and industry contribution, to provide agri-

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- cultural and product marketing research through an industry-driven, needs-based system.
4. We believe that the New York State Department of Agriculture and Markets should support the New York fruit and vegetable industry by promoting the discussion of competitive pricing mechanisms between grower groups in the state and independent processors.
  5. We support commodity promotion “check-off” programs if growers support them through a referendum.
  6. We encourage the New York State Department of Economic Development and the Industrial Development Agencies to prioritize agriculture and agribusiness within their funding programs.
  7. We recommend legislation which requires that when goods are advertised as locally grown, the specific geographic origin must also be accurately labeled.
  8. We support the use of Integrated Pest Management as a production tool, but not as a marketing tool.
  9. We support the strong enforcement of antitrust laws.
  10. We recommend that all state institutions, agencies and New York consumers buy New York products first and foremost.
  11. We support a statewide marketing campaign highlighting the health and environmental benefits of New York agricultural products.
  12. We support markets and infrastructures that enable farms to thrive in New York State.
  13. We recommend an agritourism program that will provide farmers with capital to develop new marketing opportunities.
  14. We support education of the public on Agricultural Best Management Practices.
  15. We support the continuation of the Meat Lab at Cobleskill College as an economic initiative, and not just for educational purposes.
  16. We support extension of the Long Island Market Authority to better facilitate marketing of Long Island products.
  17. We support efforts to support and/or create new outlets for New York-grown fruits, vegetables, and dairy products in underserved and lower income areas of the state.
  18. We support state funding for incentive programs that encourage local food purchases including farmers markets, farm stands, roadside farm markets and other local vendors.
  19. We support the creation and development of marketing trails, such as the Finger Lakes Cheese Trail.
  20. We recommend that seasonal farm markets should be allowed to be part of the signage on interstate exits along with restaurants and gas stations and other tourist attractions.
  21. We support the development of central distribution centers (food hubs) for New York agricultural products.
  22. We recommend support for the Hunts Point Terminal Marketplace in New York City, and that all parties work together to improve the market to suit all involved.
  23. We support the development of uniform statewide standards and fee structures for food sampling at farmers markets and farm stands and that they be administered by the New York State Department of Agriculture and Markets.



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24. We support the New York State Department of Health having uniform statewide standards and non-restrictive fee structure for ready-to-eat foods at farmers markets.
25. We recommend that the New York State Department of Agriculture and Markets should require that a portion of any “buy local” funds they distribute be used to promote horticultural as well as other agricultural products.
26. We support the continuation of state funding for corn production research until a state corn check-off can be established.
27. We support giving off-farm retail locations (farm stands not adjacent/connected to the current productive farm property) all of the protections/benefits that farm properties receive if at least 51% of the products are produced/processed on a farm associated with the retail area.
28. We support the “Home Grown by Heroes” logo for qualified producers.
29. We recommend that New York State agencies revamp and clarify current marketing programs for products grown and produced in New York State so that all products are included.
30. All products containing the word meat must be derived from an animal.
31. We support requiring companies that receive state grants for the purpose of expanding or updating an agricultural processing plant to use a minimum of 25% of New York State agricultural products when available.
32. We strongly support the New York State Department of Agriculture and Markets and the USDA working together to generate more specific information/requirements for farm processed foods.
33. We support the creation of a farm-to-institute program to support farm-to-table programs.
34. We support state funding for Adirondack Harvest.
35. We support state funding to assist farmers in the purchase of EBT/SNAP terminals and for associated processing fees and software for use at farmers markets.
36. We support legislation that county agencies making food purchases should preferentially use locally sourced products within a reasonable price structure.
37. We oppose legislation that permits values-based procurement preference to food products for state and local municipalities. This includes efforts to create “standards” that impact sustainability, racial equity, animal welfare, nutrition and workforce welfare that are not currently required in state/federal law.
38. We support all efforts to ensure and expand availability of excess and imperfect produce and dairy products to economically stressed people through:
  - a. State and federal financial and tax incentive support for harvest, packing and distribution.
  - b. Expanded financial support for food pantries and grocery stores offering such produce, with the goal of creating a viable market for such produce that supports producers and all entities within the distribution system.
39. We support that wild-harvested produce grown in New York State and

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destined for commercial processing does not need to be sourced from New York Grown and Certified farms for purposes of considering the resulting processed product eligible for participation in the New York Grown and Certified program.

## **AGRICULTURAL RESEARCH AND DEVELOPMENT**

Research in areas like innovative marketing strategies and new product development ensures consumers high quality, affordable food.

### **POLICIES:**

1. We support merit-based state grants and other appropriations to private industry and agricultural colleges for food product development and marketing of agricultural products. Efforts should be made to provide the necessary research base to expand the agricultural industry in New York.
2. We support funding for research at Cornell University's Land Grant Colleges, Experiment Stations, Agritech Park, and Cooperative Extension Service, in order to accelerate the development of new "tools" for agricultural production and alternative farm products and uses.
3. We support funding for research and development of the following areas:
  - a. Integrated Pest Management, as a management tool, including aerial application;
  - b. Non-chemical alternatives for pest control;
  - c. Manure management systems and odor control;
  - d. Eradication of the alfalfa snout beetle and golden nematode;
  - e. The value and opportunities in using modern techniques in food preservation, handling and marketing to keep pace with other global markets;
  - f. Agricultural techniques to meet the requirements of unique geographical conditions;
  - g. Applied research for agricultural environmental management;
  - h. Solutions for the spongy/gypsy moth and tent caterpillar's defoliation problem;
  - i. Applied research for corn and soybean variety trials; and
  - j. Applied research for science-based organic production.
4. We support the efforts of agricultural organizations, Cornell University, and various commodity groups to seek innovative private funding mechanisms to extend and expand much needed applied research and extension work.
5. We support that New York State offer a two-for-one matching grant to agricultural commodity groups for funding agricultural research at any accredited New York State college or university.
6. We support the development of mandatory seed quality standards for New York State as established by the New York State Agricultural Experiment Station at Geneva.
7. We support the continuation and improvement of the livestock pro-

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- grams, including but not limited to meat processing programs, and facilities at state agricultural colleges.
8. We support funding for the Northern New York Agricultural Development program.
  9. We support state budget funding for the Highland Apple Research Lab in Ulster County.
  10. We support funding for a Plant Innovation and Data Analytics Institute at Cornell University's College of Agriculture and Life Sciences.
  11. We support and recommend staffing of a statewide weed and herbicide management specialist at Cornell University with Cooperative Extension responsibilities for vegetable, fruit and row crop commodities, including corn, soybeans and small grains.
  12. We support the development of a dedicated faculty support line for Cornell University's College of Agriculture and Life Sciences to enable additional faculty hiring in the plant sciences, animal sciences, food sciences disciplines and for production agriculture while working with Cornell Cooperative Extension.
  13. When seeking an agriculture grant for a business in a qualified economically depressed area, the location of the business being funded should be the basis for qualification, not the address of the home farm or owner business.
  14. We support establishing an annual capital allocation to Cornell University's College of Agriculture and Life Sciences, for the specific purpose of maintaining research farm infrastructure and equipment that support the land grant agricultural research mission.
  15. We support research and experimentation in vertical farming methods.

### AGRICULTURAL SAFETY

#### **POLICIES:**

1. We believe that farm machinery manufacturers, when complying with safety regulations, should design products for ease in serviceability, i.e. guards, protection devices, etc.
2. We believe that any statistical data gathered on injury rates of minors while employed in agriculture should reflect only injuries that occur while performing specifically defined agricultural tasks.
3. We support continued funding of the Rollover Protection Structures Retro-Fit Rebate program on an annual basis.
4. We support continued funding for the John May Safety Fund program on an annual basis.
5. We support maintaining, at a minimum, the current 2023 funding for the New York Center of Agricultural Medicine and Health.
6. We support a rebate safety program for adaptive services and adapted equipment for farmers with physical limitations.
7. We support funding to assist farmers with the installation of gas monitoring systems at manure storage facilities.
8. We support education and outreach on the dangers of gases from manure storage facilities to ensure farmer and worker safety.

# NEW YORK FARM BUREAU

## AGRICULTURAL OUTREACH PROGRAM

### **POLICIES:**

1. We support the efforts of NY FarmNet in securing a portion of the program's annual operating budget from private sources and support state funding at a level based on demand for program services.
2. We recommend that New York State establish a fund to assist farmers unable to continue their operations to:
  - a. Support their families while they shut down their farm business and seek out retraining (self-employed persons cannot collect unemployment insurance under state law);
  - b. Pay for retraining into a field where the farmer could expect to retain financial viability.
3. We support NY FarmNet's efforts in business planning to grow the New York State agricultural economy by increasing capital investment, job creation, and new farm business enterprise development.
4. We support state funding to the New York State Agricultural Mediation Program in addition to the currently provided USDA funds.

## ANIMAL CARE

Laws have been enacted in several countries and a number of states that limit or prohibit the raising of livestock and poultry in certain types of environments. Proper care and welfare of livestock and poultry are essential to the efficient and profitable production of food and fiber. No segment of society has more concern for the well-being of poultry and livestock than the producer. This is best exemplified by the high levels of production and low mortality rates being achieved in modern livestock and poultry operations.

## **General Issues**

### **POLICIES:**

1. We believe New York State should support farmers in any type of animal agriculture who are using properly researched and industry-tested poultry and livestock practices.
2. We support continuing research in appropriate animal rearing practices.
3. We oppose legislation and regulations that would prohibit or unduly restrict the use of animals in research. Research utilizing animals is necessary to ensure more effective human and veterinary medical practices.
4. We recommend guidelines developed for research facilities not be applied to commercial agriculture.
5. We recommend that the New York State Department of Agriculture and Markets should maintain a current bank of educational material, including videos, to be made available for public education about existing humane treatment of farm animals. Schools should be encouraged to incorporate such materials into their curriculum.

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While we strongly favor animal welfare, we oppose the concept of “ ” and oppose the expenditure of public funds to promote the concept of animal rights.

6. We recommend the removal of animal control officers and local and state humane societies from the eligibility list for peace officer status.
7. We support the humane treatment of all farm animals and companion animals and oppose legislation that regulates specific animal husbandry and veterinary practices that are not based on sound science.
8. We support increasing felony penalties for animal fighting.
9. We recommend that the state and federal government monitor the animal rights groups that enjoy a tax-exempt status to ensure that they stay within the guidelines of that status.
10. We recommend that law enforcement authorities be informed of and enforce agricultural laws to protect farms and livestock.
11. We recommend that local governments not be granted the authority to make more stringent animal welfare/cruelty laws than existing state laws.
12. We believe that livestock that can no longer be worked by reason of debility should continue to be allowed to be sold.
13. We support that farmers need to be able to decide which method of transporting their livestock is best, which will differ depending on the situation. It should be done in a humane manner as viewed by the Commissioner of the New York State Department of Agriculture and Markets.
14. We believe that law enforcement agencies should actively and strongly pursue any person or persons who attempt to disrupt the operation of any agricultural business, including farms and agricultural research operations. We support compensation to the farmer using the judicial system.
15. All animals that require permits for being transported both intra- and interstate must have proper transport papers when being transported. We encourage stricter enforcement of these laws.
16. We support the state utilizing Department of Homeland Security funding to combat domestic animal agriculture and environmental terrorism in New York State.
17. We recommend that anyone convicted of intentional harassment of any animal in agriculture production, belonging to an agricultural operator, in a manner that causes the animal distress, or inhibits its wellbeing, should be subject to a Class A misdemeanor.
18. We oppose any state regulation or legislation that would ban or restrict the production of foie gras.
19. We believe that individuals should not be granted access to farms or be given any authority to euthanize a non-ambulatory animal at their own discretion.
20. We recommend that livestock, including equines, should not be classified as companion animals.
21. We support the right of farmers to utilize the techniques of humane tail docking, dehorning, and castration based on established best management practices.
22. We support a voluntary animal care certification program.

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23. We support requiring written permission from a farm operation before any documentation, video or otherwise, be made of the farm operation.
24. We oppose mandatory method of production labeling.
25. We oppose the creation of a state or federal animal abuse registry.
26. The New York State Cattle Health Assurance Program, Quality Milk Promotion Program, Cornell Diagnostic Lab and Johne's Disease Program must continue to be exempt from Freedom of Information Laws.
27. We support the New York Animal Agriculture Coalition and its founding role of responding to attacks on agriculture.
28. We support continued use of fertility treatments in livestock.
29. We recommend that universities who train and educate New York State's future large animal veterinarians be required to teach students the use of captive bolt method in addition to chemical euthanasia.
30. We support the continued use of rodeo animals based on veterinary-approved sound husbandry practices.
31. We recommend that New York State Agriculture and Markets create informational documents on livestock (chicken, bees, goats, sheep, pig, alpaca, llamas, equine, cattle, etc.) for municipal use (planning, zoning, highway, code and town board), and making these documents and additional resources available as online educational sessions and guidance documents.
32. We oppose the creation of tax credits to assist farmers in transitioning swine operations to group housing from the use of gestational crates.
33. We oppose any restrictions placed on the practice of neck or halter tethering of any livestock as a means of keeping them in their designated housing area.
34. We oppose requiring veterinarian approval prior to moving a downed animal.

## Animal Cruelty Issues

### **POLICIES:**

#### **We support:**

1. Existing animal cruelty laws that address humane treatment of domestic animals.
2. That before serving an official warrant for livestock seizure, the persons responsible for the animal shall be contacted in person and given an opportunity to be heard by the court and remedy the situation.
  - a. If the person or persons responsible for the animal cannot be contacted, a neutral third party, such as a veterinarian with experience with farm animals, shall be contacted to review the situation.
  - b. Any animal seized under this section shall be immediately available to their owners and the owners' representatives, including veterinarian and attorney, for inspection.
  - c. In cases of alleged animal cruelty, the seizing organization is responsible for the health and well-being of all animals and any illness and injuries that result due to their seizure

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- d. Local and state humane societies should not be empowered to enforce cruelty to farm animal complaints. Only officers and employees of the New York State Department of Agriculture and Markets should be empowered to enforce regulations relating to animal husbandry
3. New York State funding of animal cruelty training modules being developed by the New York State Department of Agriculture and Markets and the Division of Criminal Justice Services for the training of local law enforcement officials.
4. That the New York State Department of Agriculture and Markets institute a procedure involving state and local large animal veterinarians as first contacts in all cruelty to farm animal cases.
5. That they be able to take control over farm animals determined to have been treated cruelly at both private and public stockyards.
6. That veterinarians should not be required to disclose treatment records to authorities of animals they suspect have been abused.
7. That all costs incurred by animal owners to defend unsubstantiated claims of cruelty should be charged to the accuser. This may include fees for special veterinarians as well as legal expenses.
8. That reports of animal cruelty should not be anonymous, and if found to be frivolous the complainant should be prosecuted to the fullest extent of the law.
9. That in cases of alleged animal cruelty, after a finding of not guilty, the government and all agents of the government should have to return all animals within 48 hours at no cost to the acquitted party.
10. Any employee of any animal operation who neglects to report an incident of animal abuse to a supervisor within 24 hours should be considered complicit with that abuse and therefore subject to resulting criminal charges.
11. Stricter penalties for aggravated acts of animal cruelty as defined by the Commissioner of Agriculture in consultation with the . A person should be charged with a felony for a second conviction of aggravated farm animal cruelty, defined as intentionally causing serious physical injury to the animal. Guidelines for what constitutes an aggravated cruelty offense for farm animals should be developed and administered by the Commissioner of Agriculture in consultation with the .
12. We believe “shelter” should be defined in the animal cruelty statute as “adequate protection from the elements and weather conditions suitable for the age, species and physical condition of the animal to maintain the animal in a state of good health. Shelter for livestock includes structures or natural features such as trees or topography.”

### **We oppose:**

1. Movement of the Animal Cruelty Statute to Penal Law. We support revisions to the Animal Cruelty Statute within Agriculture and Markets Law to ensure effective language and processes to protect animal welfare.

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## Disease Control

### **POLICIES:**

#### **We support:**

1. Full funding for the Cornell University Diagnostic Laboratory for its animal health regulatory and surveillance programs.
2. That New York State should institute an open season on raccoons to reduce the population in an effort to control the rabies epidemic.
3. Efforts to control rabies through wildlife vaccinations. We support continued research and expedient release of viable vaccines, including vaccine drops.
4. Farmers should be allowed to obtain rabies vaccine and vaccinate their own animals to ensure proper protection.
5. That county health departments should not be able to supersede the New York State Department of Agriculture and Markets guidelines as they relate to livestock vaccinations for rabies.
6. More funding for the program to implement bio-security programs to protect our animal population.
7. Continued and increased funding of the New York State Cattle Health Assurance Program.
8. That the test results from the Diagnostic Lab be given directly to the farmer, who pays for the testing, as well as to the veterinarian.
9. Mandatory reimbursement at appraised value for livestock ordered destroyed by the Commissioner of Agriculture or any of his or her agents.
10. Continued state funding for the monitoring and control of diseases such as Chronic Wasting Disease and West Nile virus.
11. That guidelines developed to control the spread of disease must be followed by all in the same manner including, but not limited to, government agencies, research facilities, zoos, exhibitors, farms and ranches.
12. Adequate budget allocations to fund eradication programs for bluetongue, leukosis, Johnne's disease in cattle, and scrapie disease in sheep. We recommend that only BVD-PI test negative cattle be allowed in the state.
13. That the New York State Department of Agriculture and Markets fully fund the Avian Disease Program.
14. Mandatory tuberculosis (TB) testing on all species capable of carrying TB imported to New York State. In addition, we support increased indemnity payments for all TB contaminated livestock.
15. Livestock farmers having the ability to purchase animal pharmaceuticals using a prescription and oppose any requirements to purchase these drugs directly from a veterinarian.
16. That New York State establish alternative means for farmers to obtain necessary antibiotics via an online portal with veterinary schools or veterinarians.

#### **We oppose:**

1. Veterinarians having to write a prescription for every dose given to an animal.
2. New York State further restricting antibiotic use on farms beyond FDA



- and/or USDA guidelines.
3. Public access to protocols and prescriptions issued and used on farms.

## **COOPERATIVE EXTENSION**

New York Farm Bureau and Cornell Cooperative Extension have had a long history of cooperation beginning in 1911 when New York Farm Bureau was first formed to promote, protect and unify the work of the county associations. After the 1955 realignment, the two organizations have continued to work together in support of maintaining a viable food and agricultural industry in New York and to support farm families and rural development.

### **POLICIES:**

#### **We support:**

1. That Cornell Cooperative Extension continue to work cooperatively with New York Farm Bureau at county and state levels to:
  - a. Carry out viable food, agriculture, environmental and rural development programs to benefit farm families, consumers and rural communities;
  - b. Increased staff specialization in commercial agriculture, help identify the additional resources needed; and
  - c. Focus on keeping farmers apprised of the latest marketing and technological developments.
2. Cornell Cooperative Extension funding for regional teams to address production agriculture needs. We support non-agriculture services and youth programs being controlled and funded at the county level.
3. Cornell Cooperative Extension to expand and financially support programming to support small-scale farming operations.
4. That Cornell Cooperative Extension is a resource for training and testing for pesticide applicator certification. We recommend appropriate funding to conduct such activities.
5. That Cornell Cooperative Extension should develop an educational program on the proper use and handling of pesticides for the general public. In addition, Cornell Cooperative Extension should emphasize to consumers the importance and safety of proper and necessary pesticide use to produce a marketable product.
6. That Cornell Cooperative Extension address the concerns of the urban community regarding agricultural practices and the food supply.
7. The creation of a non-dairy livestock program work team at the Cornell University's College of Agriculture and Life Sciences to include poultry, beef, veal, sheep, and pork industry representatives.
8. That any new and existing investment in the state's extension and research capacity must be held accountable to the agricultural industry, both regionally and by commodity.
9. Cornell University to support maple research by continuing the Maple Specialist position in Cornell Cooperative Extension.
10. Cornell Cooperative Extension should continue to encourage its educators to pursue further higher education and advanced degrees and compensate them accordingly. However, we strongly support that

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extension educators not be required to have a master's degree.

11. Increasing New York State funding for County Law 224, Section 8 and 224B for all Cornell Cooperative Extension programs throughout the state.
12. Cornell Cooperative Extension to expand and financially support programming to support small-scale farming operations.

## **We oppose:**

1. The involvement of Cornell Farm Worker Program representatives and resources in issue advocacy and lobbying activities.

## **DEPARTMENT OF AGRICULTURE AND MARKETS**

### **General**

## **POLICIES:**

### **We support:**

1. The New York State Department of Agriculture and Markets should continue to work with the agricultural industry in promoting and developing agricultural products that address consumer demands.
2. That the New York State Department of Agriculture and Markets and the Economic Development Corporation coordinate efforts in developing programs and offering incentives to agribusinesses and production agriculture for relocation and expansion in the Empire State.
3. That the New York State Department of Agriculture and Markets not require bonding for buyers of perishable products who are already bonded and licensed by the USDA Perishable Agricultural Commodities Act (PACA) and who will only engage in interstate commerce as defined by PACA with New York sellers of farm products.
4. The concept of the "Producers Security Fund" to be a valid means of protecting the producer in cases of default by vendors. The following policies are designed to maintain the integrity of the system:
5. That New York State Department of Agriculture and Markets Licensing Bonding and Security Fund claim provisions be strictly enforced. The department should process claims within 30 days of receipt of a claim against the bond and/or security fund.
6. Maintaining staff at the New York State Department of Agriculture and Markets to enforce compliance by processors and brokers with Article 20 of the Agriculture and Markets Law.
7. That when both producers and vendors receive greater monetary benefit by waiving the 120-day payment rule, that extending it to 364 days be allowed. In such cases, a notarized contract and a waiver of understanding from the fund between the two parties involved would be required. Such a waiver would leave the fund harmless and all risk assumed by the two parties.
8. That farm distilleries, wineries, farm wineries and farm breweries be required to be bonded with the Producer's Security Fund to protect

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- growers impacted in the event of a dealer default.
9. A change in the New York State Department of Agriculture and Markets rules to require mandatory monthly audits of buyers that have failed to comply with written contract payments in the previous calendar year.
  10. Adequate funding for the Agricultural Statistics and Marketing Reports.
  11. Producer involvement in any discussion, definition, or regulation of “sustainable agriculture,” to include profitability.
  12. Recognition of agricultural custom work as a viable farm operation.
  13. That the New York State Department of Agriculture and Markets develop a comprehensive energy policy for agriculture. Such policy should ensure that in periods of disruption of fuel supplies or in periods of diminished supply that agricultural requirements are given due consideration in allocation and priority. New York State Department of Agriculture and Markets should become a participant in New York State efforts to develop alternative energy sources or new technology development for energy systems that may benefit agriculture and rural communities.
  14. The involvement of New York State Department of Agriculture and Markets staff to assist a farmer when first alerted of the potential filing of a lawsuit by a neighboring party, state agency or municipality.
  15. We support the addition of New York State honey, cider, eggs, meat, dairy, and maple products to the New York State Department of Agriculture and Markets Farmers Market Nutrition Program.
  16. That New York State take a proactive role in assisting farmers in the voluntary implementation of any federally developed livestock electronic identification program.
  17. That animal sanctuaries be licensed similarly to pet dealers by the New York State Department of Agriculture and Markets.
  18. The concept of the New York State Departments of Environmental Conservation and Agriculture and Markets having equal input on all policies and potential regulations, i.e., land use and nuisance permits.
  19. That the New York State Department of Agriculture and Markets work with the New York State Department of Environmental Conservation to develop an indemnification program, like the one currently used for dogs, to pay the owners for death, or fees and costs that may arise from damage or injuries to domestic animals or livestock from attacks by wild animal species.
  20. That any fines collected by New York State for fertilizer falling below the stated nutrient value first be paid to the farmer as reimbursement for the missing nutrients. Any remaining funds should go to the New York State Department of Agriculture and Markets’ testing lab.
  21. That hand weeding be considered a sound agricultural practice.
  22. The enactment of a law that would require all local laws affecting agriculture adopted by towns and villages to be reviewed and approved by the New York State Department of Agriculture and Markets prior to filing with the Secretary of State

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23. That any seed that has a coating larger than 10% of the total weight of the seed should be disclosed to the buyer and clearly advertised as such.
24. That the definition of domestic animals include animals raised under license from the New York State Department of Environmental Conservation.
25. A farmer's ability to choose arbitration, mediation or a civil trial in any and all disputes between such farmer and agribusinesses, except in the case of mandatory non-binding arbitration in relation to New York State Seed Laws.
26. An enforcement mechanism be developed to implement the provisions of Section 310 of the Agriculture and Markets Law to ensure full compliance of the disclosure provisions of the statute.
27. That the State of New York define all commercial horticultural growing operations as farm operations and should provide all benefits and protections that such operations receive.
28. That sole authority of fertilizer regulation should be created and administered at the state level of government.
29. Immediate reporting to the authorities of the capture of lost livestock.
30. Farm guardian and herding dogs should not be classified as companion animals and support their inclusion in a separate classification in Agriculture and Markets Law that recognizes their working dog status.
31. National Agricultural Statistics Service-NY reinstate its vineyard and orchard acreage surveys as part of the five-year Agricultural Census that breaks down all the varieties and acreage individually.
32. New York State agencies being required to seek an opinion from the Commissioner of Agriculture about impacts to agriculture if they are going to remove bridges, roads, or other public infrastructure in or near an agricultural district.
33. That the New York State Department of Agriculture and Markets should act more as a consultative agency with regard to food safety rather than a punitive agency.
34. A full revision and modernization of the New York State fencing laws, particularly regarding structure and liability for property damage caused by livestock that are not properly being fenced by their owner.
35. A strong and uniform agricultural animal subject training provided by the New York State Department of Agriculture and Markets of all animal welfare inspectors before they are certified as animal welfare inspectors.
36. New York State Department of Agriculture and Markets working with the New York State Department of Environmental Conservation to create exemptions in the flood plain permit application process for agricultural structures that are normally not fastened to the ground and/or often moved.-
37. The New York Department of Agriculture and Markets to overhaul and modernize the Farmers Market Nutrition Program (FMNP) and Fresh Connect Checks program and redemption system.
38. New York establishing an agricultural development grant program for specialty crop producers.

39. Legislation that would expand the definition of crops, livestock, and livestock products to include purpose bred animals. Purpose bred animals are animals such as dogs, often referred to as working dogs, that are used in detection of explosives, detection of invasive species, medical service, and for therapy. Purpose bred animals also include other research animals used in biomedical research to improve animal and human health.
40. We oppose:
41. Any transfer of costs from New York State to individual farmers for tests on animals that are required by the state.
42. Any proposals that agricultural producers help pay for the Producers Security Fund to keep it solvent.
43. Any licensing requirement of private roadside farm stands.
44. State regulations that would be stricter than the federal regulations regarding animal feed ingredients.

### Fairs

#### **POLICIES:**

#### **We support:**

1. An agricultural and youth emphasis at all agricultural fairs, including the New York State Fair.
2. The improvement and maintenance of the New York State Fairgrounds and other fairground facilities utilized to house and promote agriculture in New York.
3. We support increased state reimbursement funding of agricultural fairs.-
4. That county fairs using municipal water sources should have the same inspection considerations as other municipal water uses.
5. The New York State Department of Agriculture and Markets to improve animal welfare by upgrading ventilation and animal comfort at the New York State Fair livestock buildings, particularly the older enclosed facilities.
6. That the New York State Fair not be privatized, and an agricultural focus should be maintained.
7. Funds allocated to the New York State Fair by the New York State Department of Agriculture and Markets shall not be diverted for non-agricultural purposes.
8. That the New York State Fair reestablish a 5/8-mile track circling the northern parking lot adjacent to the racehorse barns.
9. Funding for agricultural fairgrounds to aid in the construction, renovation, alteration, rehabilitation, improvement or repair of fairground buildings, exhibitors camping, restroom or facilities used to house and promote agriculture in New York State.
10. Agricultural fair associations being able to hold exhibitions and events without unduly restrictive regulations and ordinances from local and state levels, except in instances to protect public health and safety.
11. Local and state governments should tie the funding of county fairs to the fairs level of agricultural activity, education and promotion.

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12. Lowering the premium threshold that small fairs have to pay out in order to qualify for premium reimbursement from the state, and we support increasing the overall premium reimbursement dollars available.
13. Funding for promotion of local fairs in the New York State Department of Agriculture and Markets budget.
14. The immediate reconstruction of the sheep barn and wool center at the State Fair with previously appropriated funds.

## Funding

### **POLICIES:**

#### **We support:**

1. That New York State Department of Agriculture and Markets funds be maintained at adequate levels in order to ensure health and safety standards, and to increase agriculture's profitability. Any increase in funding should not come from new permit fees, fines and penalties, but from general fund revenues.
2. Annual funding for the New York State Seed Testing Lab.
3. Funding for the New York State Department of Agriculture and Markets' Division of Plant Industry to support, manage and fund the voluntary program for the production of tested and certified virus-free plant materials.
4. New York State should continue to fund farm product inspections for domestic and foreign products.
5. Allocating \$91 million in funds in the New York State budget to support an infrastructure revitalization project at the Central New York Regional Market Authority.

## State Agricultural Product Branding Program

### **POLICIES:**

#### **We support:**

1. A New York State agricultural branding program that includes the following:
  - a. A matching funds program for promotion;
  - b. The program supports only New York-grown products; and
  - c. An advisory committee of New York farmers that makes sure the program stays focused on New York-grown products.
2. The modification of New York State Department of Agriculture and Markets rules for the state agricultural branding program to include individual milk producers.
3. The "Grown By" platform to facilitate direct farmer to consumer sales.

## SMALL-SCALE FOOD AND MEAT PROCESSORS

### **POLICIES:**

#### **We support:**

1. The New York State Department of Agriculture and Markets create an ad hoc advisory committee to discuss relevant small-scale food and meat production processing and sale issues.
2. That the New York State Department of Agriculture and Markets aggressively support small-scale meat processors and examine existing requirements to alleviate the immense and unfair burdens placed on small-scale processors. Specifically, the following issues should be addressed:
  - a. Assistance with meat processing waste (rendering) issues.
  - b. Assistance complying with the USDA Food Safety and Inspection Service Hazard Analysis Critical Control Point System regulations.
  - c. The creation of a state certification program for meat processors that allows for sales of retail cuts both interstate and intra-state similar to USDA guidelines for food safety which are also reasonable for smaller processors.
  - d. New York State Department of Agriculture and Markets to develop and provide assistance for meat processors in complying with the state food processing certification program.
3. The New York State Department of Agriculture and Markets annually review all information pertaining to home processed foods for conflicting information and regulation changes, and that the revised materials list the revision date.
4. The New York State Department of Agriculture and Markets to avoid attaching fees to the Home Processing Exemption Inspection process.
5. That New York State increase the poultry exemption for small-scale poultry processors to the federal limit.
6. A change in the small-game slaughter law to permit the sale of carcasses that conform to nearby state laws so as not to restrict trade and market access for New York State products such as rabbit and fowl.
7. The Cornell Small Farms Livestock Processing Working Group's efforts to increase the number of USDA-inspected slaughter and processing facilities in the Northeast.
8. That the New York State Department of Agriculture and Markets and its associated entities, including the New York Farm Viability Institute, make expansion of small-scale meat processing facilities a priority issue.
9. That the USDA pre-approve processing facility blueprints to assist processors through the requirements associated with constructing a plant.
10. The New York State Department Agriculture and Markets allow separation by time instead of space for dually licensed 5-A and USDA custom exempt facilities.
11. A multi-tiered license structure for Article 20c license holders that supports the small-scale food processors for a full 24 months.

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12. Expedited certification of slaughterhouses.
13. The food warehouse license fee being pro-rated for the size and scale of the farm operation, taking into account retail and wholesale sales.
14. Allowing home processing license holders to sell meat and vegetable breads that are properly refrigerated or frozen.
15. That Section 276.3 of the New York State Agriculture and Markets regulations be amended to include "farm-grown dried mushrooms" as an eligible home processed food.
16. Increased funding for extending current state inspection for slaughter facilities, such as the 5a license, to all other livestock.
17. That the New York State Department of Agriculture and Markets reconcile the differences to allow 20-c licenses to extend or exempt "use by" dates for hard and semi-hard cheeses as defined in the FDA Food Code, to separate product production by time and space.
18. That New York State work with the New York State Department of Agriculture and Markets to enable the building of slaughterhouses for the growth of livestock agriculture in New York State.
19. The proposal for farm-raised rabbit processing to be aligned equally with the current poultry processing protocol.
20. The continued allowance for out-of-state meat processing for New York-raised animals to comply with the New York State grown and certified livestock programs to reflect the need for more processors within the state.
21. The full utilization of SUNY Cobleskill's meat and milk processing facilities to improve local farmers' commercial access to USDA processing facilities.
22. New York State Department of Agriculture and Markets developing and implementing a statewide regional USDA slaughter facilities plan to ensure small scale processing to serve small farmers in the state and facilitate local food accessibility.
23. Increasing funding to create, upgrade and expand custom exempt and/or USDA processing facilities, as well as creating training and skilled labor opportunities.
24. A change in the law to allow individuals to compost offal from their own processed animals.
25. Revising current USDA regulations to allow beef and other meat animal producers to utilize inspected processing facilities and to market directly to the consumer without a mandated USDA inspection during processing. Sales should be traceable and limited directly to the end user and preclude commercial sales, including institutions, restaurants, and resale. Labeling requirements should include at a minimum, "for private sale only", "not for commercial use", producer, processor, package contents, date of packaging and weight.
26. The Department of Agricultural and Markets changing their law to protect a farm-based business that process meats to allow for up to 50% of meats processed to come from other New York farms.

### We oppose:

1. Mandatory third-party sanitation audits for small processing plants.



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## FOOD SAFETY

Farmers are committed to supplying consumers with a safe food supply. When regulations, not unacceptable risk, drive producers out of business, neither public safety nor consumers are served.

### **POLICIES:**

#### **We support:**

1. That educators and/or the public education system, extension agents, and others be encouraged to present established food safety facts and basic food safety preparation skills in a timely fashion using non-technical words.
2. Continued funding for more state produce inspectors to eliminate the loss of markets due to a lack of inspection staff.
3. Pesticide residue tolerance standards established by the federal government be used as New York State standards.
4. Voluntary labeling of consumer products by producers and/or retailers relative to their means of production, i.e. organic, natural, GMO (genetically modified organism) or non-GMO, providing the label is verifiable by sound science.
5. That all agricultural products imported into New York State be subject to the same inspection, sanitary, quality and residue standards applied to products produced in New York State and/or reciprocal states.
6. Products should be clearly labeled at the retail level as to the country of origin.
7. Any new restrictions for currently acceptable food production practices must be justified scientifically through risk/benefit analysis, hearing and comment period.
8. People having the right to knowingly purchase and consume, with inherent risk, minimally processed agricultural products.
9. Personal pasteurizing licenses for the processing of raw farm products, i.e., cider, milk, fruit juices.
10. That the USDA should have sole responsibility for food and nutritional guidelines, not local governments.

#### **We oppose:**

1. Legislative proposals for labeling foods that are produced with products proven safe by federal agencies.
2. Mandatory irradiation of food.
3. State mandated Good Agricultural Practices for fruit and vegetable production.
4. Absence labeling when it is intended to mislead consumers regarding the safety or efficacy of one agricultural product in comparison to another.
5. Product traceability for producers that direct market their own product.

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## LIVESTOCK PROMOTION AND RESEARCH

### **POLICIES:**

#### **We support:**

1. The Beef Promotion and Research Act, the Cattlemen's Beef Promotion and Research Board, and the New York Beef Industry Council.
2. The increased research and development of new livestock products.
3. Strengthening inspection standards for meat imports without pre-notified inspections.
4. Livestock grading, as it is an important marketing function of the New York State Department of Agriculture and Markets.
5. Additional funding for Pro-Livestock specialists, education, research and program development.

## PROTECTION OF AGRICULTURE

### **Economic Environment**

The best way to protect agriculture and farmland is by promoting policies that allow the industry to be profitable.

### **POLICIES:**

#### **We support:**

1. Farmland protection through the creation of an environment that supports agriculture. Such an environment should include:
  - a. Marketing and promotional opportunities;
  - b. Creation of new agricultural products and promotion of value-added processing enterprises;
  - c. Providing opportunities to secure credit;
  - d. The use of private and public farmland protection techniques;
  - e. Reduction of property tax burdens;
  - f. Strong support for right to farm and nuisance suit protection;
  - g. State and county Industrial Development Agencies (IDA) and Empire State Development Corporation's support for farming, processing of agricultural products and agricultural manufacturing.
2. Efforts to inform local and state governments of the value of agriculture in their communities and the economic disadvantage our farmers face. The following items are essential to foster our economic environment:
  - a. Markets, services, and the right to farm:
    - i. Local governments should attract agriculturally related industry. These businesses would provide employment and a tax base for the community while affording farmers a market for their products;
    - ii. Local governments should ensure zoning laws are favorable to agriculture, property rights, agricul-

- ture-related industry, services, and markets. Local governments should also be required to notify agriculture and agriculturally related industries 30 days prior to consideration in zoning or land use changes which would impact agriculture; and
- iii. Both state and local governments should promote and advertise agriculture.
- b. Education
- i. Local and state governments should consider the option of promoting tourism that would bring non-farm people in contact with commercial agriculture;
  - ii. Local and state governments should promote “Agriculture in the Classroom” activities; and
3. An anti-disparagement law that protects farm commodities and practices against unfair and inaccurate public statements.
  4. The State Right to Farm Laws, including implementation of agricultural planning such as creative marketing, promotion, education and networking with other organizations.
  5. The state implementation of Agricultural Development Zones and benefits from this designation that would be similar to those of Economic Development Zones.
  6. Changes to the New York State General Obligations Law to void production contracts with bankrupt buyers.
  7. That excess investment tax credit amounts may be refundable to operators of a farm operation.
  8. Including for-profit farms and agribusinesses as eligible applicants for competitive grant programs, including those administered by public or private agencies, departments, or authorities that utilize state monies for administering these agricultural grant programs.
  9. The state providing technical assistance to current and future food processing and manufacturing plants to maintain these businesses in New York.
  10. That economic development programs make it easier to access funds for start-up farm businesses and make it more equitable to qualify. Rules for qualifying be revised to make it easier for small farmers, who rent land from landlords not qualified for the Farmers School Tax Credit, to qualify for funding for infrastructure improvements on rented ground.
  11. New York State creating a disaster relief program for uninsurable perennial farm crops for one year during a federally declared disaster area.
  12. Legislation that would prohibit any foreign government from purchasing agricultural land in New York State.
  13. The Department of Agriculture and Markets reaching out to all local governments and provide training and education to code enforcement persons in regards to Agricultural and Markets regulations, especially those new to the position.

# NEW YORK FARM BUREAU

## **We oppose:**

1. Municipalities using taxpayer money to fund agricultural operations that compete directly with local commercial farms.

## **Farmland Protection Techniques**

## **POLICIES:**

### **We support:**

1. That all farmland protection programs should be voluntary in nature.
2. Farmland protection initiatives that address a broad range of issues that affect the long-term viability of agriculture.
  - a. County Agricultural and Farmland Protection Boards play a role in the implementation of farmland retention programs at the local level.
  - b. New York State should offer appropriate technical assistance to county farmland protection boards in the agricultural planning process. Some options may include an income tax credit, flat tax, , transfer of development rights and leasing of development rights.
3. Increased state monies to fund voluntary farmland protection programs.
4. Educational workshops to acquaint farmers with farmland protection options and effects of proposed programs.
5. That when siting infrastructure such as roadways, utility right of ways, and utility facilities, farmland should be treated as unique and irreplaceable as are wetlands.
6. Conservation easement agreements should require full disclosure of all requirements in simple language.
7. Allowing all farmland owned by New York State to be eligible for preservation through agricultural conservation easements, but not eligible for state purchase of development rights funding.
8. Surplus state-owned farmland that is sold on the private market should be sold with agricultural conservation easements to agricultural producers with allowances for small, appropriately sited building envelopes for agricultural-related purposes and owner and farmworker housing.
9. That to provide maximum flexibility, greater emphasis should be placed on the use of short, intermediate, or long-term contracts by counties and the State of New York for leasing development rights to preserve viable agricultural lands, preserve community integrity and develop open landscape.
10. That farmers receive a tax credit, based on green payments for the farmer's contributions to the community and the environment, similar to the school tax credit on farmland that qualifies for agricultural value assessment.
11. The ability of county Soil and Water Conservation Districts to hold conservation easements.
12. State legislation to enable municipalities the option of establishing Community Preservation Funds for land preservation purposes with

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- priority being given to farmland. The imposition of an up to 2% Real Estate Transfer Tax would be established upon local referendum by those municipalities interested in creating a Community Preservation Fund.
13. A statewide agricultural land trust to hold conservation easements from farms that have sold their development rights.
  14. A Conservation Donor Tax Credit which would provide an income tax credit to a landowner who donates land or easement to a land trust or government agency.
  15. That the state expands eligibility of the existing Land Trust Alliance grants program, which provides one-time operational funding for private land trusts, to a statewide agricultural land trust organization.
  16. Streamlining the paperwork process in general, and reducing the time required to complete state farmland protection program contracts to less than 24 months.
  17. The elimination of state capital gains tax on sales of agricultural conservation easements.
  18. All farmland preservation programs should recognize the New York State Department of Agriculture and Markets, section 301, definition of a farm.
  19. Increasing the maximum state cost share to landowners participating in the state Farmland Protection Program from 75% of the total project cost to 87.5% if the non-state match is in the form of a landowner donation.
  20. The concept that funding for the PDR Program first be exhausted in reimbursing expenses for awarded projects that have not received full funding.
  21. Award levels for each individual PDR project be maintained at their original appraisal.
  22. Using bonding and other funding sources as a way for New York State to complete existing state farmland protection program grants.
  23. Farms that have been protected by the Farmland Protection Program should be permanently enrolled in the Agricultural Districts Program.
  24. An amendment to the "Community Preservation Fund" law that would allow New York State Department of Agriculture and Markets certified farmers' markets to take place on land where Community Preservation Funds have been utilized.
  25. We support municipalities partnering with land trusts to implement and be the easement holder of farmland protection implementation grants.
  26. When farmland is taken by eminent domain for public projects, such as roads, sewers, and utility lines, a state farmland mitigation fee equal to the value of the farmland (preferably the difference between the market value and the agricultural assessment) lost be charged to the project and paid into the Farmland Protection Fund.
  27. The continuation of the State Farmland Protection and Implementation Grant (FPIG) Program being offered on an annual basis.
  28. That there be no limit to the number of applications an eligible entity can submit to the FPIG Program or the removal of the requirement that the applicant be the conservation easement grantee.

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29. The purchase of enhanced easements only when there is a willing seller of enhanced rights.
30. Amending New York State law to differentiate farmland preservation from open space preservation.
31. The state's funding of at least \$100 million for Farmland Preservation as allocated in the 2022 Clean Water, Clean Air, Green Jobs Bond Act.
32. A Working Lands Easement Program for land trust organizations to administer
33. Definitions in preserved land easements that may be amended by law providing the amendments do not diminish any rights previously granted to the farm operation.
34. Funding to help conserve farmland without overreaching requirements that could potentially affect a farm's ability to stay viable into the future.
35. Funding for the Farmland for a New Generation New York program.-
36. Solar development and the aggregate value of solar lease payments should be utilized as potential development value when property is appraised for PDR values or similar farmland preservation programs.

## **We oppose:**

1. The use of existing farmland for establishing buffer zones.
2. Municipalities' outright purchase of farmland.
3. Mandatory agricultural zoning or overlay districts. We are opposed to methods that remove farmers' equity in their property by such zoning.

## **Producer Protections**

## **POLICIES:**

### **We support:**

1. The right of farmers to produce their own seed.
2. The use of animal power for agricultural purposes.
3. All farm records retained in relation to a state governmental program should be kept confidential unless the farmer and/or business owner gives permission for disclosure.
4. Farm businesses should be notified immediately when any Freedom of Information Law request is made for documents containing their business or personal information by the state agency or other authorized entity of which the request is being made.
5. Stricter requirements to New York's Freedom of Information Law to protect farming operations from groups or individuals who may use the farm information in a malicious manner.
6. The taking of pictures and/or video recordings by local, state and federal inspectors or any regulatory agencies without the approval of the farm operation should be prohibited. Images that are the product of a state or federal inspection by a regulatory agency should be exempted from Freedom of Information Law requests.
7. Legislation which penalizes wrongful entry and criminal trespass onto farms, theft of records, obtaining employment by malicious intent, taking recordings of the workplace activities without the owner's consent

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and intentionally interfering with farming operations. Penalties should include compensation and/or reimbursement to the farm where costs or damages have occurred.

8. Laws that would prohibit surveillance of individuals or private property at a place and time when there is a reasonable expectation of privacy by individual(s) who intentionally use or permit use of a device to surreptitiously view, broadcast, or record another person, activity or private property by means of aerial imaging technology without the knowledge and consent of person authorized to provide consent.

### **We oppose:**

1. The dissemination of proprietary information without the owner's consent and believe proper compensation should be paid for use of that information.

### **Right to Farm**

#### **POLICIES:**

#### **We support:**

1. Education and defense of best management farm practices.
2. Educational programs for outdoor enthusiasts to inform them of the needs and rights of the agricultural community and of their own responsibilities that accompany the privilege of enjoying privately owned lands.
3. New York State Department of Agriculture and Markets defending agriculture affiliated and farm-based businesses that are following state guidelines be afforded the same protections as other farm businesses under the law.

#### **We oppose:**

1. Local Government's imposition of unreasonable restrictions, special permits or special conditions not required of traditional farming for non-traditional farm operations. including, but not limited to, aquaculture, commercial horse boarding, hydroponics and greenhouse operations.
2. Any proposals restricting the agricultural districts program, right to farm laws, or the farm exemptions specified in the Freshwater Wetlands Act.
3. Government entities and agencies that have tried to arbitrarily define agricultural practices as "industrial" and/or "commercial enterprises" simply because they don't fit traditional perceptions of agriculture.

### **Urban Agriculture**

#### **We support:**

1. The growing importance of urban agriculture, its contribution to the agricultural economy, and need to better integrate this segment of agriculture into the wider agricultural community.

2. Zoning and building codes that allow year-round structures and controlled environment agriculture infrastructure, as well as utilizing production techniques (e.g. raised beds, hydroponics) to address the lack of suitable farmland and high-quality soils in many urban areas.
3. State recognition of USDA urban area maps for eligibility requirements for state urban agriculture programs.
4. Definitions of urban agriculture that avoid potential conflicts with existing agricultural production practices, programs and laws.
5. The raising of livestock, aquatic species, and bees and other insects in urban settings provided that best management practices are implemented to provide for the health and safety of animals, the environment, and public health. We support engagement by agricultural agencies and organizations in fostering research, education, and governmental engagement related to urban agricultural production.

## **SECTION 2: COMMODITY ISSUES**

### **APICULTURE**

The production of honey is of growing importance as consumers seek natural food products. The apiculture industry also plays an important role in pollination. Persistent problems facing the industry must be addressed, including mite infestations and diseases such as Colony Collapse Disorder.

#### **POLICIES:**

1. We recommend funding for the enhanced apiary inspection program be increased in the state budget.
2. We support an apiary registration program, but we do not support registration or inspection fees.
3. We support continued funding for Apicultural Research and Extension program.
4. We support the establishment of an apiculture pest management position within Cornell University to develop integrated pest management practices.
5. We support the development of best management practices for beekeeping.
6. We recommend that state wildlife refuges and parks allow the placement of honey bees where appropriate.
7. We support legislation to protect, promote and expand the apiary industry.
8. We support relaxing current rules to allow bee inspectors to own hives of bees.
9. We strongly encourage New York State to establish a diagnostic lab for honey bees that is capable of dealing with the increased pressure of viruses in bee colonies.
10. We recommend that all future beekeeping rules incorporate input from all industry stakeholders.
11. We support a federal standard of identity and welcome the develop-



- ment of a federal labeling standard.
12. We oppose civil suit enforcement of honey purity laws.
  13. We support enforcement of Section 206 of the Agriculture and Markets Law.
  14. We support a technical definition of honey for New York State.
  15. We support an amendment to the statutory definition of livestock to include honey bees in the Agriculture and Markets Law.
  16. We support state budget funding for a tenure-track honey bee applied research assistant professor post, two extension associates and supporting laboratory facilities.
  17. We support state efforts to eradicate mosquito-borne viruses/disease using control measures that reduce negative impacts on pollinator populations.
  18. We support increased funding for research on the causes of pollinator population decline.

### AQUACULTURE/FISHERIES

New York State has significant quantities of high-quality water which could easily serve in the propagation to grow various fish species as an alternative or supplemental crop for farmers to improve income, help maintain the economic viability of the agricultural industry and increase rural economic development.

#### **POLICIES:**

1. We believe New York State agencies should support the development of this potentially important sector of New York's agricultural economy.
2. We recommend that protection of our remaining commercial fisheries, which includes finfish, shellfish and aquaculture industries, become a high priority of the state.
3. We recommend that the necessary water quality parameters for shellfish production be kept in place when the New York State Department of Environmental Conservation considers permits for expansion or new construction of marinas.
4. We recommend the New York State Department of Health recommendations for shellfish and finfish consumption should be specific about the type and origin of fish for which recommendations are made.
5. We recommend that the standards for allowable contaminants in fish be carefully scrutinized. When contaminant levels are found satisfactory for human consumption, the information should be readily available to all including commercial net fisheries. Further, we support a New York State small fish fishery that allows the taking of striped bass that test within allowable contaminant standards.
6. We recommend that aquaculture waste should be declared an agricultural waste and be under the New York State Department of Agriculture and Markets' jurisdiction.
7. We oppose any legislation that:
  - a. Attempts to restrict any commercially caught fish to a game fish classification only; or

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- b. Prohibits the sale of such fish.
8. We support the development of cumulative landing programs (i.e. weekly trip limits) to ensure harvest of New York allocated quota and more efficiently use marine and commercial fishing resources.
9. We recommend that waters and streambeds in fisheries be given appropriate consideration in all New York State Department of Environmental Conservation regulations. Only water discharged at the property line should be subject to regulations.
10. We support legislation authorizing the Sea Grant Institute, Cornell University and the Suffolk County Cornell Cooperative Extension Marine Program to undertake a study and to develop a statewide aquaculture plan to determine:
  - a. Potential markets;
  - b. Review present production and marketing mechanisms;
  - c. Potential for investment;
  - d. Recommended mechanisms to enhance aquaculture activity; and
  - e. Identify existing barriers to growth and recommend their removal.
11. We recommend that New York State promote the shellfish aquaculture industry by the passage of laws that:
  - a. Clearly state and maintain the right to cultivate species of shellfish other than oysters as currently permitted by the New York State Department of Environmental Conservation.
  - b. Allow for the continued implementation of the Suffolk County leasing program as developed by the Suffolk County Department of Planning as set forth in New York State law.
  - c. Allow the ability to mechanically harvest cultivated shellfish on privately controlled underwater lands as regulated by the New York State Department of Environmental Conservation to continue.
12. We support promoting the continued growth of the shellfish aquaculture industry in New York State by:
  - a. Farmed underwater land should be included within the agriculture districts of New York State.
  - b. A continued aquaculture exemption should apply to the harvest size limit on aquacultured bay scallops.
13. We support a change from the current annual license renewal for New York State fish hatcheries to a five-year license term.
14. We support the for waterfront lands. PDR's have and continue to preserve farmland for the continued operation of the farming industry since the same program of PDR is necessary to preserve the waterfronts for the continued viability of the commercial fisheries.
15. We support the creation of cost sharing for New York State Department of Environmental Conservation's Viral Hemorrhagic Septicemia testing program.
16. We support funding for the New York State Diagnostic Lab at Cornell University to test for fish diseases on New York fish farms as mandated by the New York State Department of Environmental Conservation. The cost of such testing shall be borne by the state.
17. We urge the New York State Department of Agriculture and Markets to

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- establish a division to manage and promote all aspects of aquaculture statewide.
18. We support the Cornell Cooperative Extension Service in providing aquaculture advisement and education to growers in the area of recirculation and pond-based culture systems.
  19. We encourage SUNY colleges that offer aquaculture programs to modify their curricula to enable their graduates to:
    - a. Plan, organize, establish and operate commercial grade recirculation aquaculture production facilities.
    - b. Propagate and raise a variety of high value fish species, other than salmonids (trout), to include, but not limited to Black Bass, Yellow Perch, Walleye, eels, Sturgeon, shellfish and others.
    - c. Develop strategies for marketing commercially raised fish and shellfish to the public.
  20. We urge the New York State Department of Agriculture and Markets to hire an aquaculture specialist.
  21. We support changes in state and county law that would add the right to cultivate seaweed on all leases, grants, franchises and other forms of access currently used for shellfish and finfish culture.
  22. We oppose mandatory post-harvest processing of shellfish as a method to control *Vibrio Parahamolyticus* and *Vibrio Vulnificus* outbreaks.
  23. We recommend amending the legislation regarding seaweed cultivation to allow for an increase in the size of pilot project acreage and a decrease in the pilot project program length.
  24. We support exemption from the Jones Act requirements for businesses engaged in the production and harvesting of agricultural products, including those in clam and oyster farming.
  25. If a permit application renewal for an aquaculture farm is submitted to the New York State Department of Environmental Conservation at least thirty days prior to the listed expiration date, the permit holder may continue to use the permit's authorizations until the department acts on the request. This is the same procedure that the U.S. Fish and Wildlife Service uses.

### CANNABIS

#### **Adult-Use Cannabis Issues**

1. We support comprehensive legislation to de-schedule marijuana and THC at the federal level and let the states regulate.
2. We support funding research for best horticultural practices or other applications for all marijuana species at Cornell University or other agricultural colleges in New York State.
3. We support the agricultural industry having an active role in the growth and production of marijuana and also the development and implementation of a recreational marijuana program in New York State.
4. Adult-use cannabis should be treated as a legitimate agricultural crop.
5. We support the creation of two additional seats on the Cannabis Control Board with at least one seat reserved for agricultural representation.
6. We support a tier licensing system with prorated fees that supports the ability of lower volume craft cannabis growers to receive cultivator licenses.

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7. We support an incentivized, education and performance-based approach to cannabis cultivation energy efficiency policy.
8. We support allowing farmers/microbusinesses to retail/distribute their own products on a retail and wholesale basis.
9. We support equal opportunity for cannabis licenses in New York State
10. We support the use of artificial/supplemental lighting for greenhouse and indoor cultivation to extend daylight for growing adult-use cannabis.
11. We support the ability to grow adult-use cannabis year-round indoors.
12. We oppose adult-use cannabis business transactions being subject to 280e tax.
13. We support the Office of Cannabis Management having specific staff that are available for calls and a virtual help desk available to answer questions and provide information for the cannabis industry.
14. We support the Office of Cannabis Management making available online recorded educational sessions, guidance documents, and additional resources along with including this information and updates to these documents in email newsletters.
15. We support funding for additional staff at the Office of Cannabis Management.
16. We support the repeal of the excise tax and having a flat rate (20%) tax at point of sale.
17. We support the repeal of the cannabis potency tax.
18. We support state tax incentives for cannabis farms similar to the craft beverage industry.
19. We support allowing farmers to store their own secondary products, such as cannabis, crude oil distillate and finished products infused with cannabis oils.
20. We support adding the ability to grow indoors to the combination tier for microbusiness licenses.
21. We support the current regulatory framework that is required for tracking farm products, such as GMP requirements, but oppose a specific required track and trace system for cannabis.
22. We oppose the ability of Registered Organizations to have a license option that allows them to be vertically integrated at a larger scale than other licenses, such as microbusiness licenses.
23. We support zero to low interest loans (0-7%) for distressed cannabis farmers. We support having lending institutions and other services to act in good faith and provide services at a fair market value.
24. We support changing Aspergillus standards from Pass/Fail laboratory compliance standards to a label warning immunocompromised consumers or any consumers with autoimmune or respiratory issues to not inhale adult use cannabis flower products. Aspergillus is a ubiquitous mold that permeates humans, clothes, and all organic matter. Holding farmers who lightly process cannabis flower products to more onerous standards than the tobacco, beverage or food industries is very costly and harmful to cannabis farmers and growers.
25. We support an exemption from the current GMP guidelines for cannabis

farmers. Instead farmers should follow guidance from food safety standards more in line with kitchen processes and mechanical separation methods such as using agitation and water as a universal solvent and modalities using heat and pressure.

26. We support any bills put forth by the Legislature to create a Relief or Re-compensation fund for AUCC licensees who were affected by the failed rollout of the New York State cannabis program.
27. We support microbusinesses co-locating their retail operations and microbusinesses showcasing and selling each other's products.
28. We support cannabis microbusinesses, including nursery operations and sales.
29. We support New York State protecting the rights of hemp farmers to co-locate operations with adult use cannabis operations.
30. We oppose the Registered Organizations getting special treatment over other license types.

### **CBD Hemp Issues**

1. We support raising the acceptable level of THC from .3 to 1.0% (still far below any psychoactive levels).
2. We support testing of the plant, if necessary, should include flower, leaf and stem from parts of the entire plant and in equal proportion (not "only from the top third of the plant and only the flower").
3. We support that if THC must be tested, it should be a standard test for delta-9 THC only.
4. We support any accredited lab being able to test hemp for CBD and THC content.
5. We support hemp be tested within 45 days before harvest.
6. We support retesting if a plot/crop comes back above the allowable THC "hot" limit.
7. We support "hot" hemp crops still be allowed to be processed for CBD isolates, fiber, textiles and any other product not being used for consumption.
8. We support once a hemp crop is tested and passes within legal limits, that it be treated like any other product grown on the farm and that it be allowed to be sold as such (at farm stores, farm stands, and farmers markets with a Certificate of Analysis (COA) as documentation of proof).
9. We support new craft category of food and wellness products needs to be created where we can sell our products like food, fermented and processed.
10. We support hemp pharmaceutical and nutraceutical (supplements).
11. We support hemp growers in New York State agricultural districts having the first opportunity to obtain processor and extractor licenses.
12. We support the use of genetic testing and Certificate of Analysis (COA) for the determination of hemp seeds CBD-THC profile.
13. We oppose the \$1,000 non-refundable cannabinoid hemp processors application fee. If the application is not approved, the application fee should be refunded.

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14. We oppose the \$500 non-refundable cannabinoid hemp manufacturer application fee. If the application is not approved, the application fee should be refunded.
15. We oppose the high application and license fees that the New York State Department of Health requires in the Hemp Extract regulation.
16. We oppose the restrictions placed on hemp farmers that limit the sale of their hemp biomass/flower to processors, distributors and/or retailers. Once a hemp crop passes testing within legal limits for the cannabinoids content, heavy metals, pesticides limits, biological limits and mycotoxin limits, farmers deserve the right to sell their crop directly to customers with a Certificate of Analysis (COA) as documentation of proof.
17. We support exempting “on-the-farm” hemp infusions and manufacturing from the New York State Hemp Extract regulation, These infusions are made through methods like soaking the herb in a carrier (like olive oil or alcohol) or through the use of non-industrial equipment and can be tested for cannabinoid content, heavy metals, pesticide limits, biological limits and mycotoxin limits with a Certificate of Analysis (COA) as documentation of proof (similar to the home processors exemption for jellies, certain baked goods and snack mixes.)
18. We support an additional category of “Cannabinoid Hemp Farm Processor” be added to the New York State Hemp Extract regulation that allows for on-the-farm processing and manufacturing of infused hemp by means of non-industrial equipment.
19. We support modified application durations and modified application and license fee scales as well as modifications to the criteria listed that do not pertain to the Cannabinoid Hemp Farm Processor when this category is added to the New York State Hemp Extract regulation.
20. We oppose mandating scannable barcodes or QR codes linked to downloadable Certificates of Analysis (COAs) for Cannabinoid Hemp Farm Processors as long as they are providing paper or emailed COAs to their customers for their products.
21. We support the immediate establishment of the Hemp Work Group with hemp industry representatives.
22. We support vertical integration for farmers to allow for cultivation, processing and retail.
23. We support the ability of a farm’s retail license to cover their farm stand, farm store and farmer’s market/festivals as customary with usual farming practices of selling farm products at multiple locations.
24. We support expediting the process for applying and approving cultivator licenses for applicants who were previously licensed with New York State industrial hemp pilot program.
25. We support the option for farmers to have consumers pick their own hemp at licensed farms.

## Hemp Grain and Fiber Issues

### POLICIES:

1. We oppose the limitation of the number of farms allowed to grow industrial hemp by the Commissioner of the New York State Department of Agriculture and Markets under the Industrial Hemp Pilot Program.
2. We support the New York State Department of Agriculture and Markets removing the \$500 application fee from the industrial hemp grower application.
3. We support any efforts to label crop protectants for use on hemp.
4. We support the New York State Department of Agriculture and Markets removing the requirement for specific GPS coordinates for each hemp stand from the Industrial Hemp Program application.
5. We support the New York State Department of Agriculture and Markets removing the research component from the Industrial Hemp Program application.
6. We support New York State helping in creating hemp fiber processing facilities across New York State.
7. We support hemp crop insurance.
8. We support the exemption of hemp grown explicitly for non-CBD purposes (i.e. grain, fiber, seed, oil, ethanol) from DEA-approved laboratory testing for legal limits of Cannabidiol (CBD) and Tetrahydrocannabinol (THC).
9. We oppose the \$500 non-refundable Industrial Hemp Grower application fee. If the application is not approved, the application fee should be refunded.
10. We oppose an additional fee that licensed hemp growers have to pay when planting in a different field that is still located at the licensed farm location. Hemp growers should not have to pay an additional fee for crop rotation practices.
11. We encourage Empire State Development to invest a minimum of \$1 million in recruiting and helping to establish a commercial scale textile hemp decortication facility in NYS.

## DAIRY INDUSTRY

### Promotion – New Product Development

### POLICIES:

1. We support the increased research and development of new dairy products, emphasizing Class I products. Funding should be shared by the industry.
2. Since the processor assessment of twenty cents is utilized in the calculation of the Class I price, we support the inclusion of the fifteen-cent producer assessment in said calculations.
3. We support research, distribution, advertising and education of consumers regarding milk products developed specifically for use by lactose intolerant people.
4. We support the New York Dairy Promotion Advisory Board's continued use of professional promotion programs, with great importance placed on return per dollar invested, and support continued exploration

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- tion of new and under-developed markets and producers to help with local promotion projects.
5. We encourage the advertising of milk on a diet-advantage basis (i.e. advertising milk for its high calcium, high protein, low-fat content and balanced electrolyte levels) and for the many positive impacts milk has on health.
  6. We support the efforts of Dairy Management, Inc.
  7. We support the “Real Seal” program through advertising and reporting of its successes.
  8. We recommend that the “Real Seal” on products be larger, more visible, uniform and recognizable.
  9. We support the new standards of identity for “low-fat” or “non-fat” dairy products to help increase commercial sales.
  10. We recommend the use of a common terminology, such as gallons, to discuss farmer/consumer prices for milk.
  11. We believe that the fat content of all fluid milk sold, including whole milk, should be clearly labeled on the container, as a percent fat free rather than percent fat.
  12. We encourage the legislature to develop programs which will encourage the continued existence of milk processing facilities and foster the development of additional facilities.
  13. We support funding the PRO-DAIRY program’s statewide and regional teams of specialists, which are accountable to producers, as recommended by Cornell University.
  14. We recommend that New York milk processing regulations be rewritten to accommodate small and on-farm processing.
  15. We support the placement and use of milk vending machines in schools, Thruway service areas and other public institutions.
  16. We support efforts to stop the illegal use of milk protein concentrates and caseins for food and dairy products and encourage enforcement by the New York State Department of Agriculture and Markets.
  17. We support legislation that promotes the use of calcium-rich foods in schools and other public institutions. Preference should be given to naturally calcium-rich products such as milk or dairy products.
  18. We call on all agencies to strictly enforce labeling laws as they pertain to milk and milk products.
  19. We support a ban on the third-party sale of fluid raw milk in New York State.
  20. We support continuation of the New York State Raw Milk Program with the support of the New York State Department of Agriculture and Markets.
  21. We recommend that a state-approved signage program for cheese trails should be established through the New York State Department of Transportation, similar to the wine trails.
  22. We support funding of the dairy profit team program.
  23. We support the American Cheese Society’s definition of Farmstead Cheese and encourage the New York State Department of Agriculture and Markets to consult this definition when approving Farmstead on a cheese product label.
  24. We support National Agricultural Statistics Service-NY providing county-based statistics for the dairy industry.



25. We support the development and funding of a \$1.5 million dairy innovation hub at Cornell CALS.

### Quality Programs

New York dairy farmers strive to produce high quality milk. Dairy farmers are also concerned that handlers and cooperatives market a high quality, attractively packaged and good tasting product that meets consumers' changing demands.

#### POLICIES:

1. We recommend improved enforcement of guidelines, rules and regulations related to milk handling in all outlets and the maintenance of adequate funding levels for inspections to ensure consumer protection.
2. We recommend regional dairy councils should continue to work with schools to ensure the correct handling of school milk supplies and delivery of high-quality milk to students.
3. We support milk handlers and receivers providing quality incentive programs to producers (i.e. somatic cell and bacteria counts).
4. We support independent lab testing adequately monitored by the New York State Department of Agriculture and Markets of all milk samples used to determine the components for which producers are paid.
5. We support uniform state and federal inspection standards for dairy facilities.
6. We recommend that dairy inspection regulations concerning on farm equipment requirements include a grandfather clause to maintain existing equipment facilities if they are not causing quality problems.
7. We support maintaining state funding for the Quality Milk Promotion Services and supplemental funding through user fees as needed.
8. In the event of a positive antibiotic test at a milk processing facility, additional samples from the contaminated compartment in the truck should be:
  - a. A chain of custody of the sample established; and
  - b. The sample preserved for further testing by the farmer with an established list of independent testing facilities.
9. We recommend milk companies supply an optional second tamperproof sample bottle for farmers to hold in case of a questionable quality claim.
10. We support that no dairy products that require U.S. Grade A sanitary standards (such as fluid milk and yogurt) may be imported from nations lacking Grade A inspected dairy farms, transportation systems, and Grade A-certified dairy processing plants.
11. We recommend that if a load of milk is rejected, a written notice of rejection and reason be submitted to the producer. In addition, if a rejection occurs because of antibiotics, the processor must report which test was used and failed to the producer.
12. We support mandating all federal and state milk inspectors be identified with a picture identification and leave notice of being on the farm.
13. We support and encourage mobile milk processing plants for on-farm milk processing.

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## Dairy Research

### POLICIES:

1. We oppose mandatory labeling of products produced utilizing new or existing technologies or the banning of those technologies that have been approved by the appropriate regulatory agencies.
2. We support the use of new, safe technologies in dairy production, and oppose restrictions on such use. If restrictions are placed on the use of safe technologies, we support the payment of premiums to offset any financial loss by the discontinued use of the technology.
3. We support encouraging retailers and/or processors to label “regular” milk as prominently and attractively as milk that is from “non-rBST cows” or “organic,” as there is no scientifically proven difference.
4. We support research programs to improve the profitability and efficiency of the New York State dairy industry with emphasis on new food and nonfood dairy products.
5. We support continued research on cures, including non-antibiotic cures, for mastitis.
6. We support a program funded by voluntary contributions from dairy farmers to generate research into challenges faced by dairy farmers such as nutrient management and reduction of antibiotic use.

## Imitation Food Products

### POLICIES:

1. We urge the New York State Department of Agriculture and Markets to strongly enforce labeling and notification provisions for imitation dairy products and appropriate state funding should be provided to implement this directive.
2. We support a prominent notice to consumers of imitation dairy product use in prepared foods.
3. We support separate displays of dairy products, imitation dairy products and nondairy items in supermarket display cases and in advertising flyers.
4. We support the use of butter and real dairy products instead of trans fats such as margarine. We recommend that Cornell Cooperative Extension stop promoting margarine in recipes.
5. We support the labeling of reconstituted milk for fluid and cheese products.
6. We recommend that the word “milk” should not be allowed to be used in the labeling of any product that does not originate from a lactating animal.
7. No product shall be labeled, marketed or sold as cheese unless it is derived or produced using at least 50% of dairy milk or milk components.

## Milk Producers Security

### POLICIES:

1. We strongly recommend the New York State Department of Agricul-

ture and Markets continue to scrutinize the financial resources of milk dealers and adequate state appropriations should be provided to the department's Dairy Division to carry out in-depth review of milk handlers' financial records.

2. We recommend the New York State Department of Agriculture and Markets should develop a system to inform producers of the financial strength of milk dealers.
3. The department should inform producers if a dealer fails to secure a required minimum security bond.

## Milk Marketing Orders

### POLICIES:

1. We believe New York State producers should be allowed to vote on individual amendments to the order without nullifying the entire order.
2. We oppose the adoption of the National Council on Interstate Milk Shipments proposal to grant Grade A status on imported dairy products, unless:
  - a. Cost of all inspections are borne by the importing entity; and
  - b. Equitable access to markets in the importing country's market is provided.
3. We support improving price discovery through mandatory reporting and auditing of prices and inventories.
4. We recommend that New York State actively and properly enforce the Retail Milk Threshold Law at 200% of the Class I price.
5. We recommend a review of the Federal Milk Marketing Order pricing formulas of milk to prevent a negative "other solids deduction" from dairy farmers' blend prices.
6. We encourage co-ops to continue notifying farmer members about any proposed milk marketing order changes.
7. We support the creation of a permanently funded disaster loss program or insurance-type program for milk that will provide assistance to farms when natural disasters or weather-related events hamper the ability of farmers to get their product to market.

## Over-Order Pricing

### POLICIES:

1. We strongly support regional over-order pricing.
2. We recommend dairy farmer recognition of the milk processing sector's vital role in the dairy industry. We support a positive business climate in order to expand the processing industry in New York State.
3. Until interstate commerce concerns are addressed, we do not support the Rogers-Allen Act.
4. We support voluntary, producer controlled, incentive-based supply management.
5. We support dairy cooperatives and dairy producers working together to address milk supply issues, through programs such as Cooperatives

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Working Together.

6. We strongly support the establishment of a New York or Regional Milk Marketing Board, similar to the Pennsylvania Milk Marketing Board, to establish a base price for milk sold within New York State and financed by the retail market.
7. We oppose the creation of any government administered program that would seek to undermine or replace the current Cooperatives Working Together program.

## EQUINE INDUSTRY

The equine industry represents a significant part of New York State's agricultural industry. This industry currently generates billions of dollars in revenue for the state and the investment by horse breeding operations is growing. The horse industry provides many expanded markets for other farmers.

### **POLICIES:**

1. We support a New York State sales tax exemption for horse sales, along with farrier supplies and services.
2. We support legislation making all services provided by commercial horse boarding and training operations be treated as farm operations for tax and labor purposes consistent with New York State Department of Agriculture and Markets policies.
3. We recommend no reduction in funding for equine programs at the Cornell University Veterinary College and Diagnostic Laboratory, and at all SUNY colleges and universities.
4. We recommend that New York State should increase funding to three-quarters of one percent of the handle, from Off-Track Betting facilities to the Thoroughbred Breeding Fund and the Harness Breeders' Sire Stakes Program, in order to maintain breeder awards at the present level.
5. We recommend that both proposed and existing trails, on state, county and local lands, which are now considered multiple use, (hikers, bicyclists, skiers, snowmobilers and horseback riders) be preserved as such. We oppose any attempt to restrict horseback riders from these trails.
  - a. We support continued efforts to develop horse trails at the town, county, state and federal levels in open space and recreation plans in New York State.
6. Off-Track Betting in its present structure is not working effectively to promote the equine industry. We favor restructuring the program to run in a more efficient manner to benefit the racing industry. We recommend that all wagering, related to horse racing, be conducted by the associations that conduct racing.
7. We recommend the expansion, improvement and maintenance of horse stables at show facilities at the New York State Fairgrounds and other fairground facilities to bring them in-line with industry standards.
8. We support regulated and humane equine processing facilities as a

- valid outlet for unwanted horses, in the absence of funding for the aftercare/end of life costs of retired and/or unwanted horses.
9. We oppose legislation that implicitly or explicitly redefines any livestock, including horses, as companion animals.
  10. We support a reasonable review and development of an insurance scale for the equine industry that does not drive farms, shows, clubs, organizations, and individual owners out of the sport.
  11. We support re-instatement of funding for the New York State Horse Health Assurance Program.
  12. We support the development of all equine racing in New York State.
  13. We oppose video lottery terminal expansion outside of racetracks, thereby ensuring the benefit to agriculture.
  14. We oppose any revision of the current video lottery terminal statute that does not guarantee the current allocation of 1.247% for the first five years and 1.508% thereafter to the horse breeding funds.
  15. We recommend that equine indoor riding and training rings should be exempted from New York State Commercial Building Codes in a manner similar to building structures that are used for solely agricultural purposes.
  16. We support privately-funded, not-for-profit rescue and/or sanctuary organizations, registered and licensed by the New York State Department of Agriculture and Markets through the Domestic Animal Health Permit (“DAHP”) program, that provide, entirely at the owner’s discretion, an alternative to processing. A publicly accessible database of these organizations should be maintained and published on the New York State Department of Agriculture and Markets website. The database should notate those organizations that have current accreditation by one or more of the following nationally recognized quality assurance programs: Thoroughbred Aftercare Alliance, Standardbred Transition Alliance, Global Federation of Animal Sanctuaries, EQUUS Foundation.
  17. We recommend that video lottery terminal revenues generated for the Breeding Development Fund at in-state harness tracks should be divided fairly among all harness tracks in New York State.
  18. We recommend that statewide, uniform and science-based best management practices be developed for equine care and seizure to protect both horses and owners.
  19. We support the development of a regional system to notify, educate and provide timely information to horse owners regarding the importance and effectiveness of prophylactic vaccines.
  20. We support research on the therapeutic benefits of using horses for health, veteran, physical, mental rehabilitation and addiction programs.
  21. We recommend that the New York State Department of Environmental Conservation (DEC) establish a system to receive voluntary contributions of money or other resources for the use of DEC-operated horse trails.
  22. We oppose the New York State Department of Education licensing equine dentists or farriers.
  23. We oppose legislation that would ban the use of carriage horses in

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- New York City or any other location throughout the state. We recommend active efforts to defend the legal business of horse-drawn carriage operations, including protection against activities that hinder or disrupt the lawful practice of this industry.
24. We recommend commercial equine operations receive the current commercial agricultural sales tax exemption and the ten-year real property tax exemption on new farm buildings.
  25. We support the establishment of a horse park in New York State.
  26. If and when full-scale casinos are licensed and cited in New York State, we support them at racetrack locations that are currently licensed for gaming.
  27. We recommend that funds be secured to regularly generate a New York State equine industry survey.
  28. We recommend that the New York State Department of Agriculture and Markets work to educate county, town and village planning boards to ensure that equines are recognized as part of agriculture and entitled to agricultural benefits.
  29. Given the absence of USDA licensed and regulated horse slaughter facilities, we support the implementation of low-cost gelding, euthanasia and carcass disposal programs and commissioning a working group to support programs such as the Cornell Waste Management Institute in implementation of a statewide program.
  30. We recommend that legislation for a voluntary equine promotion, industry funded program be developed and enacted to develop a funding stream for equine industry education, promotion, marketing, and research.
  31. We recommend that the New York State Department of Agriculture and Markets write a yearly press release on the health and importance of the equine industry in New York State.
  32. We support the establishment of a New York State Equine Industry Alliance that would serve in an advisory capacity to the New York State Department of Agriculture and Markets and the Legislature.
  33. We support a winter Thoroughbred racing meet and ensuring a minimum of 600 New York-bred Thoroughbred races each year at New York Racing Association tracks.
  34. We recommend that the New York State Department of Agriculture and Markets review state laws regarding minimum care standards for equines to determine areas for improvement, including penalties for violations.
  35. We recommend that legislation be developed and enacted to formalize training programs for animal control officers in the area of equine care, welfare, and handling (similar to that found in legislation pertaining to the 'Training and Certification of dog control officers).
  36. We strongly support viable equine rehabilitation and re-training programs and facilities.
  37. We support allowing harness tracks to write restricted races for 100% New York-owned horses only.
  38. We support the re-privatization of the New York Racing Association as

- a non-profit organization.
39. We support the increased engagement of Saratoga-area citizens in appointments to the boards of state government entities that oversee the Thoroughbred industry. This engagement should be followed for residents of the Aqueduct, Belmont and Finger Lakes racetrack geographic areas.
  40. We support the Harness Horse Breeders of New York State being the exclusive administrative arm of the Sire Stakes Program.
  41. We support the addition of two trustees to the Agriculture and New York State Horse Breeding Development Fund, one appointed by New York Farm Bureau and one appointed by the Harness Horse Breeders of New York State, creating a seven-member board of trustees.
  42. We support removing a minimum of ten horses, regardless of ownership, from the definition of a commercial equine operation in the Agriculture and Markets Law.

### **FARM-BASED BEVERAGES**

#### **Brewery, Distillery, and Cidery Issues**

We urge New York State to recognize and support the growing brewery, hops and distillery businesses, which utilize New York-grown farm crops.

#### **POLICIES:**

1. We support beer, hard cider and distilled spirits produced by on-farm licensees and being classified as an agricultural product.
2. We support beer, hard cider and distilled spirits produced by on-farm licensees being classified as an agricultural product and subject to the Right to Farm law.
3. We support increased hops, barley and other beer ingredients research by Cornell University and the use of barley, hops and other New York State-produced crops in the production of local beer.
4. We support that New York State government follow the same labeling guidelines for beer as the federal government to speed up the approval process at the state level.
5. We support the ability of brewers, who represent 5% or less of a wholesaler's business, to have the option to re-purchase their brand from the wholesaler at an industry-wide agreed upon level.
6. We recommend that farm brewers and microbreweries be able to terminate a wholesale distributor agreement, provided they pay the wholesaler fair market compensation.
7. We recommend that excise tax calculations be in liters, not gallons. We recommend that brand label registrations not be required for small batches of farm brewery or farm distillery products, in a manner similar to the farm winery license.
8. We support changes to brewery and farm brewery licensees to enable the bottling and/or canning and labeling cider produced by licensed farm cideries or farm wineries under an alternating proprietorship

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- arrangement within the Alcoholic Beverage Control Law.
9. We encourage a clear distinction between hard cider or cider beer and sweet cider for promotion and licensing purposes.
  10. We support New York State, its agencies, commissions, and other entities, offering incentives, such as tax relief and tax credits, to its farm and craft brewing industry and their supporting businesses, such as farms growing hops and malting barley, to help build the infrastructure of the industry and invest in its future.
  11. We support microbreweries being included in community-supported agriculture programs.
  12. We support New York State helping to improve the economic wellbeing of the craft distilling industry through activities, including custom distilling operations, which can create an environment that helps foster agricultural innovation.
  13. We believe that farm brewing licensees should comply with the requirements to use New York State-grown products, as noted in the existing statute. This will ensure that the proper amount of hops and all other ingredients are being used to ensure provisions of the statute are being met.
  14. We support allowing farm breweries, farm cideries and farm distilleries the ability to sell their products at licensed roadside farm markets and farm stands in the same way that farm wineries are currently allowed to sell their products.
  15. We oppose the law which allows all microbreweries to sample and sell retail liquor at their licensed premises.
  16. We support allowing koji-based spirits being defined under Alcoholic Beverage Control Law and to be eligible for sale for consumption at locations licensed to sell wine.
  17. We recommend that byproducts of malting be classified as agricultural processing wastewater rather than industrial wastewater.
  18. We recommend that any farm brewery growing barley should be able to process on site and sell malt as a product.
  19. We support offering a reduced excise tax rate for farm distilleries.
  20. New York State should enhance the benefits of farm breweries, cideries and distilleries licenses to ensure we have adequate capacity for the significant increase in hops and grain production.
  21. We support allowing farm breweries, farm cideries, and farm distilleries in possession of a marketing license being able to charge for product tastings at venues off of the production premises.
  22. A comprehensive hop breeding program needs to be developed and financially supported modeled like past apple and grape programs. This is important to ensure New York farm breweries can meet New York State grown ingredient requirements for popular beer styles.
  23. We oppose any restrictions on 18–20-year-olds working in the alcoholic beverage industry in any capacity.
  24. We support allowing farm breweries, farm cideries and farm distilleries in possession of a marketing license being able to ship products in and out of state.
  25. We propose incentives be created for voluntary reporting of New York grown ingredient usage by all farm breweries, cideries and distilleries.



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- This reporting should also be required for New York State Grown & Certified designation.
26. We support the creation of marketing funds to enhance New York State hops promotion to all classes of brewers.
  27. We support New York State mandating New York State brewers to use in-state grown ingredients, that are processed and inspected in state, in order to comply with the Farm Brewery Law.
  28. We support wineries, craft beverage producers and on- and off-premises license holders having the ability to do curbside pickup, allowing consumers to buy the products in advance and have them delivered directly to their vehicle.
  29. We support a requirement that New York-labeled beer must contain 60% hops and 60% all other ingredients by weight that are grown in New York State for the yearly aggregate total.
  30. We oppose the threshold for hops and other ingredients for NY labeled beer going above 60%.
  31. We support a to-go sealed container option for licensed craft beverage producers (wineries, breweries, cideries and distilleries, and meaderies) in compliance with local container laws.
  32. We ask for continued funding support from New York State for a hop breeding program at Cornell University.
  33. We support parity between beer, wine, cider and distilled spirits in regard to the New York Production Tax Credit.
  34. We support allowing wineries, craft beverage producers, on- and off-premises license holders the ability to deliver direct to consumers. Deliveries shall be made in a vehicle permitted by the State Liquor Authority (e.g. a third-party delivery service) or a vehicle owned and operated or hired and operated by the licensee or its employee. A copy of the permit or license must be present in the vehicle.
  35. We oppose any new regulations of brewery waste.
  36. We recommend that the state look to leverage infrastructure already in place in Fulton, NY to restart malt production in the state's largest facility.
  37. We support increased funding for research to develop low GN barley varieties suited to growing in New York for use in the production of local single malt and other distilled spirit products.
  38. We support allowing all farm beverage producers to ship directly to consumers in and out of state.
  39. We support craft beverage producers being able to spread processing byproducts from production on agricultural land.
  40. We support the creation of a New York State Brand Owners License under the current New York State ABC laws.
  41. We support a 90-day permit for farm beverage producers to serve NY state-labeled farm products off-premises similar to one-day permits.
  42. We support New York State Department of Agriculture and Markets changing their law to protect farm based breweries who produce 50% of barley or hops on their farm, not both.

## Grape and Wine Industry

The production of grapes for wine and sweet juice is a vital part of New York agriculture and is of major economic importance to New York State. The New York grape industry has achieved recognition for the production of international quality wines and as the center of a large sweet juice processing industry. In order to further strengthen the New York State grape industry and make it more competitive with other states, specific problems facing the industry must be addressed.

### **POLICIES:**

1. We oppose additional excise taxes on wine.
2. We support the sale of wine in retail food outlets. Should the sale of wine in retail food outlets be allowed, we recommend that liquor stores be provided more flexibility to offer items for sale and in their overall business structure in order to remain competitive. We recommend that multiple locations should be included as part of the overall business structure for liquor stores.
3. We recommend that New York State grape juice be offered in institutions and schools.
4. We recommend that the Commissioner of the New York State Department of Agriculture and Markets bring grape grower groups and independent processors together to discuss alternative pricing incentives.
5. We recommend that the current grape pricing law be amended to permit the buyer to raise his price by as much as the market will bear if the New York State Department of Agriculture and Markets certifies that a significant reduction in yields has occurred. No reduction in announced prices would be permitted.
6. We support the New York Wine & Grape Foundation's annual budget request for New York Wine & Grape Foundation research and promotion programs as well as New York Wine and Culinary Center (New York Kitchen) programs and for funding from the Genesee Valley Regional Market Authority.
7. We urge New York State to take legislative or regulatory actions to correct the trade imbalance with Ontario, Canada, since provincial duties, levied at the Canadian border, on New York wine products sold to consumers at New York farm wineries, greatly deter tourists from purchasing our wine products.
8. We oppose increased bond requirements for farm wineries.
9. We recommend that New York State-produced wines should be given preference and promoted at New York State Parks and Recreation facilities statewide where alcoholic beverages are permitted for sale.
10. We recommend that wine processing tank residue, including designate juice settlements/lees or fermentation lees, should be classified as agricultural waste.
11. We encourage the State Liquor Authority to reduce the costs of compliance and reduce the record-keeping requirements for wineries to sell their product to both in-state and out-of-state customers.
12. We recommend the elimination of the annual report of direct wine sales that is now required by the State Liquor Authority.

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13. We also recommend the elimination of the adult signature requirement for the delivery of direct wine sales, if the winery has already verified the age of the recipient.
14. We urge the New York State Department of Agriculture and Markets to continue to work with the State Liquor Authority to review regulations and to streamline the laws that affect the wine, distillery and brewery industries of New York State.
15. We strongly encourage alternative funding mechanisms to support the New York Wine & Grape Foundation for promotion and research, and the attraction of matching funds whenever possible.
16. We strongly oppose any requirements that mandate wineries to have exclusive, binding, contractual relationships with distributors and/or wholesalers.
17. We recommend that the excise tax on the first 10,000 gallons of wine produced and sold by a New York-headquartered winery be dedicated for promotion of New York wines by the New York Wine & Grape Foundation.
18. We support the creation of a Grape Research and Development Order to generate industry funding.
19. We support the continued legal use of reusable containers for consumers purchasing wine from New York wineries, restaurants or retailers.
20. We support the New York Wine & Grape Foundation as the primary advocate for promotion, marketing and research for New York's wine and grape industry.
21. We oppose an "at rest" requirement within the Alcoholic Beverage Control Law, which would require out of state shipments of wine to "rest" for 24 hours in a New York State warehouse prior to sale within New York.
22. We support an exemption for New York wineries from the wholesale distribution reporting requirements regarding sales to restaurants.
23. We recommend that Agriculture and Markets Law and the Alcoholic Beverage Control Laws be in conformity, as they relate to winery issues and the sales of wine, wine products, sales of agriculturally related products, food products and tourism-related activities.
24. We recommend that any new allocation of authority over New York's successful wine trail signage programs ease regulatory barriers to expansions and appropriate promotion to facilitate economic growth in the wine sector.
25. We support changing the classification of wine from an alcoholic beverage to an agricultural commodity solely for the purposes of achieving a producer funded market order to benefit generic research, promotion and marketing of New York-produced wines.
26. We support farm wineries in New York State being able to purchase grape spirits from out-of-state suppliers when not available in New York State. We encourage the New York State Department of Agriculture and Markets to consider a lower percentage of on-farm or estate produced grapes for farm wineries located outside of an American Viticulture Area when interpreting the predominance standard in relation to farm wineries within a State-Certified Agricultural District. Where farm wineries fall below the current 51% threshold, the New

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York State Department of Agriculture and Markets will require that 100% of imported grapes be purchased from New York State grape growers.

27. We recommend that farm wineries who are self-distributing their wine be permitted to sell mixed and matched cases at a discount.
28. We recommend that wine shops and liquor stores be permitted to sell New York State wine by the growler.
29. We support a one-time property tax credit to reward owners of abandoned vineyards after they remove them to prevent the spread of disease into neighboring, healthy productive vineyards.
30. We strongly support the New York State Liquor Authority license requirements for Farm Winery/Special Farm Winery (FW 302) and MicroFarm Winery (MW 307). These requirements are clearly stated in the Alcohol Beverage Control Law, sections 76-a, 76-d, and 103.
31. We support an adjustment to the microwinery license to increase the number of gallons that can be produced from 1,500 to 5,000 gallons per year.
32. We support allowing all wineries to post or participate in the grape cluster sign program along roads in New York State regardless of whether they are wine trail members or not.

### FOREST INDUSTRY

#### **POLICIES:**

1. We recommend the use of best timber management practices in all state forests and privately-owned land.
2. We recognize a need for New York State Department of Environmental Conservation foresters to continue managing the Stewardship Incentive Program offered by the USDA Farm Service Agency.
3. We recommend that New York State develop grading specifications for native lumber species.
4. We support strengthening the Right to Practice Forestry Act.
5. We oppose the enactment of logging ordinances that restrict the rights of property owners to responsibly harvest timber as determined by New York State Society of American Foresters timber harvesting guidelines.
6. We support revisions to the property trespass laws whereby "willful intent" of the perpetrators could be easier to prove. We also request that law enforcement be more aggressive in pursuing cases of timber theft.
7. We support the "Project Learning Tree," sponsored by the New York State Department of Environmental Conservation, which provides funding to support the forester's expenses connected with the program.
8. We support a certified logger program. All such programs should be expanded to include specialized training specifically for educating farmers and emergency medical personnel.
9. We support the tree farm system sponsored by the American Forest Institute that offers a free, voluntary professional forest management service for private property owners of 10 acres or more of woodlands.

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10. We oppose the imposition of international building code standards for lumber.
11. We recommend that commercial timber harvesters be required to notify adjoining landowners for each timber harvest.
12. We recommend that timber mills be required to keep a bill of sale log book on file containing the source of timber purchased from a harvester that includes landowner contact information.
13. We recommend that the New York State Department of Environmental Conservation 480-A requirements be modified to allow property changes that relate to gas and oil development. Parcels that drop below minimum acreage requirements as a result of the changes should not be penalized and allowed to continue in the program.
14. We oppose any local road use laws or ordinances that target harvesting of timber or any other agricultural practice.
15. We support New York enacting a forestry stewardship and habitat conservation tax credit for forest landowners.
16. We oppose any effort by New York State Department of Environmental Conservation to enact a timber harvest notification law.
17. We support revising Forest Tax Law 480-A regulation aimed at improving the efficiency and administration of the program for consulting foresters and program participants.
18. We support increasing the funding for the New York State Wood Products Development Council.
19. We recommend that New York State support and invest in low-grade timber industries as well as wood-based energy industries to strengthen markets for low-value timber and create better options for sustainable forest management.

### **FRUIT**

#### **POLICIES:**

1. We recommend that the New York State Department of Agriculture and Markets allow produce to be sold either by volume or weight.
2. We recommend that the New York State Department of Agriculture and Markets enforce pre-delivery contract requirements.
3. We support the inspection and grading of apples to exact weight and percentage of grade.
4. We strongly recommend that apple vending machines in private and public New York schools contain only New York apples.
5. We support funding for a Stone Fruit Research Program.
6. We recommend that New York establish a proactive inspection and research plan with Animal and Plant Health Inspection Service (APHIS) for all stone fruit acreage in the state to test for Plum Pox. Funding sources to reimburse stone fruit growers for loss due to orchard eradication, if found, should be continued.
7. We support the use of state funds for the promotion of New York State-grown berries.

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## HORTICULTURE

### **POLICIES:**

1. We oppose mandatory water collection for greenhouses.
2. We support the strengthening of Cornell's Horticulture, Pathology and Entomology programs through the increased funding for:
  - a. Replacement of retired professors to maintain effective instruction at Cornell;
  - b. Effective support of Extension programs from the Cornell campus;
  - c. Repair and improvement of horticulture-related research facilities at Cornell; and
  - d. Improved county and regional Extension support to growers.
3. We recommend that on-farm retail sales should be allowed in temporary greenhouses.
4. We encourage state funding for horticultural research.
5. We recommend that the New York State Department of Agriculture and Markets inspect shipments of "starts" that are imported into the state and to ban the importation of diseased plants. If disease shows up on plants already for sale at garden departments in the state, the New York State Department of Agriculture and Markets should have the power to require the immediate withdrawal of those plants from sale and their destruction.
6. We recommend the establishment of a producer's compensation fund for the greenhouse industry when crops are affected due to government intervention such as a quarantine or confiscation.
7. We support the New York State Department of Agriculture and Markets, the New York State Building Code, and the New York Office of Real Property Services classifying modified shipping containers used for agricultural production as "equipment".

## MAPLE INDUSTRY

The production of maple syrup is a vital part of New York agriculture and is of major economic importance to this state. As one of the top states in the U.S. in the production of maple products, this industry strives to produce a pure, unadulterated product. In order to strengthen the New York State maple industry and make it more competitive with other states and Canada, specific problems facing the industry must be addressed.

### **POLICIES:**

1. We recommend that the New York State Department of Agriculture and Markets support the Cornell Maple Program's efforts to develop a program to educate producers on best practices for food safety, syrup grading standards, correct food labeling and the development of new food products with maple ingredients.
2. We support funding for the Cornell Maple Program, including the Cornell Maple Specialist, Cornell Cooperative Extension, the Uihlein Maple

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- Research Center and the Arnot Research Forest.
3. We support the opening of forest lands owned by the state by long-term permit for the tapping of maple trees.
4. We encourage more active promotion by the maple industry through the New York Grown and Certified Program.
5. We support continued state funding for a promotion program for the New York State maple syrup industry.
6. We support the implementation of a fire code regulation to allow temporary public use of agricultural buildings such as sugarhouses.
7. We support New York State increasing the number of active contracts with maple producers on state lands within the next year.
8. The New York State Department of Environmental Conservation should provide municipalities with educational materials regarding reverse osmosis permeate and the fact that it is not a contamination hazard. Maple facilities should be allowed to dispose of their permeate in a simple manner.
9. We support expansion of the New York State Department of Agriculture and Markets definition of tree syrups, beyond maple, so as to include syrups made with sap from other species of trees.

### NON-TRADITIONAL LIVESTOCK

#### **POLICIES:**

1. We support the farming of non-traditional livestock, including bison, cervid (deer and elk) and camelid farming and ranching.
2. We support and encourage meat processing facilities to accommodate non-traditional livestock.
3. We support and encourage the promotion of New York farm-raised venison.
4. We recommend that non-traditional livestock, including privately owned captive cervids, be regulated solely by the New York State Department of Agriculture and Markets.
5. We recommend investigating the possibility of a research facility to be established at Cornell University for non-traditional livestock.
6. We recommend investigating that New York State, through Cornell Cooperative Extension, employ a non-traditional livestock specialist to assist alternative livestock farmers.
7. We encourage the development of safe feeds for non-traditional livestock.
8. We recommend that the New York State Department of Agriculture and Markets allow licensed 5a meat processing facilities to use nitrates for value-added products processing for non-traditional livestock.
9. We recognize cervid tuberculosis (TB) as a growing threat in New York and support the development of an action plan for TB eradication.
10. We support reclassifying rabbits raised for food as livestock, instead of exotics, for processing purposes.
11. We recommend that pet dealers should be allowed to buy rabbits from hobby rabbit breeders who do not have a license.
12. We support encouraging the local, county and state tourism commis-

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sioners and their advertising vendor to give equal credence to all alpaca farms. Alpaca farms should be considered points of interest with the ability to schedule schools, the general public and small private groups for farm tours.

13. We support bison being consistently classified within state and federal regulations as beef or exotic.

## ORGANIC

### **POLICIES:**

1. We support the USDA National Organic Program.
2. We recommend that the New York State Agricultural Statistics Service should gather information and publish statistics that include information on organic farmers and products.
3. We recommend that growers who are unknowing recipients of patented genetically engineered material through pollen drift should not be held liable for possessing the material.
4. We recommend that no synthetic materials be allowed in the processing and production of organic labeled products.
5. We recommend that Cornell University include an organic component in its Dairy Farm Business Summary.
6. We oppose the mislabeling and misidentification of non-organic products as organic by retailers.
7. We support the New York State Department of Agriculture and Markets' Organic Certification Reimbursement Program.
8. We recommend that producers claiming the sale of organic products at markets and roadside stands be required to display their organic certification.
9. We oppose the labeling of hydroponic vegetables as organic under the National Organic Program.

## POULTRY INDUSTRY

Poultry production in New York State is an important sector of our agricultural industry. The poultry industry continues to grow, provide economic stability in our communities and generate needed revenue for the state's economy.

### **POLICIES:**

1. We oppose legislation that would restrict farmers from administering health care products.
2. We support the private development of a broiler and turkey industry in New York State and the production and processing of kosher and non-kosher poultry meat.
3. We recommend that the New York State Department of Environmental Conservation classify waste generated from washing of poultry crates as agricultural waste and allow it to be applied to agricultural land.
4. We oppose legislation that would require a salmonella vaccination, or other inoculations, for chickens as a state requirement.



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## SHEEP AND GOAT INDUSTRY

The production of sheep and goats for meat, milk and fiber is an important segment of New York's agricultural environment. The growing demand, by New York's culturally diverse population, for nutritious red meat and natural fibers contributes significantly to the state's economy. A strong sheep and goat industry in New York provides diversity and balance to the agricultural community.

### **POLICIES:**

1. We recommend that the New York State Department of Agriculture and Markets maintain statistics on lamb and goat prices, on a weekly basis across the state, including live weight prices in consistent weight categories and cutout values for lamb carcasses, similar to those used in the beef industry reports.
2. We support the promotion of New York State lamb and goat products.
3. We support adequate budget allocations to fund the New York Sheep and Goat Health Assurance program along with the eradication programs for Johnne's and scrapie diseases in sheep and goats.
4. We support the recommendations and funding requests of the NYS Natural Fibers Textile Development Workgroup including supporting creation of Grown & Certified natural fiber products for distribution at Taste NY stores.

## VEGETABLES

Vegetable production is a major economic revenue source of New York agriculture. New York ranks in the top 10 nationally for the production of numerous vegetable products and is consistently growing and improving to be competitive in national markets.

### **POLICIES:**

1. We support the development of a statewide onion promotion campaign where the trademark and logo would be owned by the New York State Department of Agriculture and Markets.
2. We support state funding for research into the Iris Yellow Spot Virus.
3. We support the New York State Department of Agriculture and Markets designating the third Sunday in the month of August each year as the "Official New York State Onion Appreciation Day."
4. We call on the Cornell Onion Plant Breeding program to present a timetable as to when Cornell plant breeding research results would enter any commercial seed production lines.
5. We support a lawfully recognized third party inspection of New York-grown potato shipments to processors that are rejected because of unacceptable quality.
6. We support a lawfully recognized tracking system for rejected processing potatoes. This system should ensure that potatoes that are rejected by processors are suitable for their next intended use, especially if they will be entering the fresh table market. This system should also be designed to ensure that the shipping grower knows the final use of the

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- rejected potatoes.
7. We support funding for research purposes to assist in the control and eradication of Phytophthora.
  8. We support maintaining full funding of the Onion Research and Development Program with continued oversight for projects by the State's Onion Grower Board of Directors.

## **SECTION 3: ECONOMIC ISSUES**

### **AGRICULTURAL CREDIT**

Having a sound, competitive credit infrastructure is critical to the long-term success of New York farm businesses.

#### **POLICIES:**

1. We encourage the continued availability and expansion of commercial and community banks loan portfolios to agricultural enterprises.
2. We recommend incentives to be made available for beginning farmers to access capital.
3. We recommend that the Empire State Development Corporation Small Business Assistance program include agriculture.
4. We encourage the development of a revolving no interest loan program, with a per loan cap for on-farm environmental and business development.
5. We support low-interest loans for agricultural technology.
6. Eligibility for New York State grant opportunities for farms should be based on eligibility for Agricultural Assessment, not New York State Farmers School Tax Credit eligibility.

### **Farm Credit System**

The Farm Credit System is America's largest cooperatively-owned lender and is a vital source of credit to farmers, agricultural businesses and rural America. A strong Farm Credit System helps meet the credit needs of farmers, agricultural cooperatives and other rural businesses and enhances the exports of U.S. agricultural goods.

#### **POLICIES:**

1. We recommend support for legislative and regulatory actions to expand Farm Credit lending authority for agriculture, aquaculture and commercial fishing.
2. We oppose any changes to federal and state tax and fee provisions for Farm Credit institutions that could adversely affect the farmer-owners of Farm Credit cooperatives.
3. We support maintaining the cooperative structure of Farm Credit and farmer-ownership of Farm Credit associations.
4. We support inclusion of Farm Credit institutions as eligible lenders in state economic development programs.

5. We oppose unnecessary and burdensome regulations or oversight on the Farm Credit System.

### ENERGY

The energy problems facing this state and nation require the balancing of conservation and development of alternate energy sources. Energy plans should emphasize conservation, yet not inequitably burden the agriculture industry with increased energy costs.

#### **Renewable Energy**

##### **POLICIES:**

1. We encourage the development of more energy from hydroelectric power and methane sources.
2. We recommend an aggressive promotion program to generate public support for the use of biofuels and support legislation to stimulate its use, including tax incentives to encourage the development of an ethanol and biodiesel industry in New York State.
3. We recommend to the New York State Departments of Environmental Conservation and Transportation that ethanol blends be the fuel of choice.
4. We support the research and development of hydrogen power through fuel cells. Hydrogen powered fuel cells offer future generations a limitless energy supply and produce water as the waste product.
5. We advocate an agricultural producer bio-fuel investment incentive bill that would promote farm producer ownership in agricultural bio-fuel and alternative energy facilities, and provide financial incentives from the state of New York to encourage construction and operation of the plant and consumer consumption. A sunset date for the incentive should be provided, as this state investment should only exist until the plant is able to effectively generate a profit.
6. We encourage the creation of energy policy and necessary incentives that support on-farm renewable energy sources for farm use and encourage increased efforts in the area of energy conservation education.
7. We support including wood products in the definition of renewable fuels in New York State, and the continued use of solid fuel, such as wood and grain, as a renewable source of heat and energy.
8. We recommend that the state conduct a study into the feasibility of building community methane digesters for green power production, using the waste from several farms.
9. We strongly support New York State allowing developers to site wind towers and commercial solar projects on state land.
10. We recommend that the New York State Energy Research and Development Authority support renewable sources of energy, and such assistance should be prioritized. Local governments should receive incentives from the state and federal government for promoting such projects locally.
11. We support cellulosic biofuels and encourage the state and federal

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- government to financially support research, investment and industry development of this opportunity.
12. We support state or regional efforts to pool carbon sequestering practices for carbon credit contracts from multi-farm operations.
  13. We oppose cap and trade legislation due to its cumbersome and inequitable nature and support initiatives which utilize increased development of renewable energy sources.
  14. We support changing state law to allow the New York State Energy Research and Development Authority to offer renewable energy production incentives to landowners regardless of their grid connection status that ultimately provide a net benefit to rate payers.
  15. We recommend that the Public Service Commission require New York State utility companies to purchase all farm alternative energy, such as anaerobic digestion, wind, solar and hydro, at a premium rate.
  16. New York's net metering program should be enhanced to assure that on-farm anaerobic digesters receive the full market rate for all power produced, unreduced by various utility charges.
  17. We support public policies to upgrade the distribution electrical infrastructure in rural areas.
  18. We strongly encourage the development of systems and/or regulations through the Public Service Commission to enable farms and other businesses which generate power greater than needed for their own operations and operators of electrical distribution networks to work closely together to equitably share costs for required investments to interconnect to the utility system at a reasonable cost, which would be equitably shared.
  19. We support extending the availability of state and federal funds in the area of renewable energy to technologies using water power, including small scale hydro systems.
  20. We support equity of legal status and benefits for the production of electric power micro-hydroelectric facilities.
  21. We support the use of biofuels in home heating fuels in New York State.
  22. We oppose any ban on the use of propane, wood burning, oil or natural gas appliances.
  23. We support preserving the authority of local town and county governments to control the real property tax assessments and the collection of real property taxes as it relates to commercial wind development projects.
  24. We oppose allowing New York State to develop energy production taxes on renewable energy sources. We believe these projects should remain taxed as real property at the local government level.
  25. We recommend that the percentage of a local feeder line's rated capacity, that an anaerobic digester can produce, be increased from the current 20%.
  26. To conserve our natural (water) resources, we support the use of geothermal technology providing that all such systems are self-contained, closed-loop systems.
  27. The renewable energy credits, created by the generation of power from biogas, should be assigned to the on-farm anaerobic digester for sale

- onto the marketplace.
28. Net metering should not be eliminated unless a better system becomes available that would be beneficial to holding down electric rates and allow those willing to invest in renewable generation the opportunity to do so.
  29. We support the development of markets and production of ethanol, cellulosic ethanol, and biodiesel. -
  30. Solar and wind project developers should be required to obtain, maintain, and pay for a bond to cover the cost of decommissioning and site restoration. The bond should be reviewed every five years and adjusted to reflect inflation and changes in the cost of accomplishing the decommissioning and restoration.
  31. We believe any solar array which has a majority of its production used for the agricultural enterprise should qualify as exempt from agricultural assessment conversion penalties.
  32. We oppose a mandated standard for “pollinator-friendly” solar arrays, however, we support voluntary standards and incentives.-
  33. We recommend major upgrades to the power grid using smart grid technology.
  34. We support the approval of E15 by the New York State Department of Agriculture and Markets for sale in New York.
  35. We support the establishment of a state-funded program that will provide compensation for the value of methane destroyed by generating renewable energy from anaerobic digesters, which would complement the current net metering or Value of Distributed Resources programs.
  36. We support increasing New York State Energy Research and Development Authority incentives for siting solar arrays and other energy facilities on brownfield lands or other unused industrial sites.
  37. We support a requirement where land rezoned as commercial or industrial for a solar array is automatically rezoned as agricultural when the solar panels are removed.
  38. We support incentives for the expansion of on-farm renewable gas production.
  39. We support prioritizing placing solar on non-agricultural lands, such as brownfields and previously disturbed industrial sites.
  40. We support the collaboration of farm organization leaders, solar developers, and solar development associations to develop a “Best Management Solar Siting Practices Guide” for large-scale solar projects greater than 10 acres and/or 25 MW, on agricultural lands. Concepts to include:
    - a. Minimize and mitigate siting on actively farmed farmland, particularly for class 1-4 soils.
    - b. Commit to following New York State Department of Agriculture and Markets guidelines when siting solar installations on any farmland.
    - c. Develop practical agricultural co-utilization projects with farmers involved in project design, ensuring active farming in between and around panels for the lifetime of the project.

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- d. Be receptive to and cultivate projects that involve multiple landowners to maximize the use of lands not actively cultivated.
  - e. Identify, in collaboration with landowners, specific tracks of land that are not actively farmed and engage developers to utilize those sites rather than productive farmland.
41. We support a prohibition on the use of any government incentives for solar development on prime soils and soils of statewide significance and prime farmland if drained. This includes direct and indirect government subsidies, tax credits and property tax breaks. Agricultural lands should receive the same or higher protections than wetlands receive for solar installations.
42. We recommend a prime soil mitigation fee when prime soils are present when siting an alternative energy production facility.
  - a. It is recommended that the mitigation fee be assessed on a sliding scale relative to the percentage of the project situated on prime soils.
  - b. The mitigation should consist of practices that promote soil health, reduce soil erosion, and improve water filtration capacity, farmland preservation, purchase of development rights and conservation easements. Examples of this include tiling to prevent ponding, prescription cover-cropping to promote soil structure, and structures such as diversion ditches and gully plugs to reduce erosion.
  - c. Perpetuation of mitigation for the entirety of the alternative energy contract should be ensured within the decommissioning bond.
  - d. All costs of mitigation should be the responsibility of the project originator and not subsidized by funds intended for agricultural operators.
43. We oppose solar power replacing hydroelectric power over existing power lines.
44. Solar Development Companies, or their contractors, should be required to remove all project infrastructure, regardless of depth of the infrastructure, during decommissioning and site restoration. Solar project infrastructure should not remain in the ground for future generations to deal with. "New York State Department of Agriculture and Markets Guidelines for Solar Energy Projects- Construction Mitigation for Agricultural Lands" should be changed to reflect removal of ALL infrastructure, regardless of depth of infrastructure. .
45. Solar Development Companies (or their contractors) should provide funding to local municipalities where a solar and wind project is constructed, to hire an independent Agricultural Monitor (AM), selected by the town, to oversee the construction, restoration and follow-up monitoring of solar projects for any solar project.
46. We support in addition to current soil condition requirements, "New York State Department of Agriculture and Markets Guidelines for Solar Energy Projects- Construction Mitigation for Agricultural Lands" should also require documentation of soil depth prior to construction for remediation after decommissioning. Topsoil depth should be not-

- ed. Upon decommissioning and restoration of the project, soil depth should be restored to pre-project conditions and topsoil depth should be restored to pre-project conditions.
47. We support monitoring the previous solar project site and its restoration for a minimum of two calendar years after completion of the restoration of the site. This is important to allow for monitoring of drainage pattern changes, soil fertility changes and other factors that may have decreased the value and yield potential of the project site.
  48. The local municipalities where a solar project is located should be provided a copy of the decommissioning plan and any subsequent updates for their records, prior to commencement of construction of the solar project. The landowner, where a solar project is located, should receive a copy of any decommissioning plan and subsequent updates.
  49. We support New York State establishing oversight and regulatory authority within New York State Department of Agriculture and Markets over siting of solar arrays in rural communities to meet carbon goals and protect farmland.
  50. We recommend that New York State develop a recycling and removal strategy for end-of-life solar panels and equipment that includes both commercial arrays and smaller units from farms and homes.
  51. We recognize the inherent property rights of farmland owners to legally use their land for solar energy production without overly burdensome restrictions and regulations.
  52. We recommend incentives be provided to encourage commercial reuse or redevelopment of existing business or industrial sites, rather than new undeveloped sites.
  53. We oppose all-electric initiatives for rural areas until such time as:
    - a. The grid is upgraded to support that level of electrical production & consumption.
    - b. Alternatives are incorporated into the system for times of weather emergencies.
    - c. Exemptions are incorporated into the system for vehicles and machines where batteries do not allow a vehicle to carry enough power for the task at hand.
    - d. Exemptions are incorporated into the system for locations where the grid is inadequate to support that level of consumption.
    - e. The costs to do so are not prohibitive to farmers.

### Utility-Line Siting/Mandates

#### **POLICIES:**

1. We recommend companies with rights-of-way on farmland identify the location of their underground transmission lines and/or pipelines.
2. We recommend that when siting utility rights-of-way, adverse agricultural effects on all farms should be minimized by:
  - a. Judicious routing to help avoid construction and operation through farmsteads, croplands, orchards, and sugar bush operations;

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- b. Utilization of state-of-the-art mitigation practices and full rehabilitation of all agriculture-related lands which are not otherwise avoided;
  - c. Utilization of qualified agricultural specialists to maintain on-going field contact with all affected farmers and other organizations from project design stage through final land rehabilitation;
  - d. Ensuring just compensation for right-of-way easements and damages; and
  - e. Consideration of all other viable routing options with preference being given to the use of previous utility rights-of-way and highway medians.
3. We support the expansion of electrical transmission systems to allow for the further development of alternative energy in the North Country, being careful to minimize the impact on prime farmland.
4. We believe that productive farmland or aquaculture/fishing grounds should not be taken by eminent domain for the construction of a utility facility, nor should a facility's location negatively impact neighboring productive farmland or aquaculture/fishing grounds.
5. We believe that the sale or use of an existing right-of-way, by a utility or an authority to another utility or authority, should be subject to the same rules and regulations as a new right-of way. The owner of such land should be adequately compensated for the new use.
6. We support regulatory requirements, which give preference to existing pipeline routes where feasible for new pipeline projects.
7. We support an amendment to the current Dig Safe New York Law 16NYCRR, Part 753 to read: "All utilities will be buried a minimum of forty-eight inches deep and that Dig Safe New York will verify this with a letter to each agricultural property owner who has utilities crossing their property, and that it will relieve any responsibility from the owner if the utilities are disturbed."
8. We recommend that New York State utility companies be required to keep their utilities at current standards for height over roads.
9. We urge New York State to promote new technology power lines along state highways and the Thruway.
10. We recommend that all farmland should come under Agriculture and Markets Law with regard to reclaiming the land (i.e. soils should be returned to normal and/or agricultural standards for burial of pipelines etc.).
11. We support a mechanism by which all farms are protected from the use of pesticides, or other chemicals by utilities and municipalities.–
12. We propose that high-speed internet/communications/utility lines be installed in compliance with New York State Public Service Standards and, further, that a real property owner or operator of agricultural equipment not be liable for damages caused to those high-speed internet/communications/utility lines when not installed at sufficient heights to comply with the New York State Public Service Standards.
13. We support a reduction of the influence of utility oversight organizations and strengthen enforcement by the Public Service Commission.
14. We support New York State legislation that requires notice and a copy



of the application to be served on landowners in which any portion of a utility project is to be located and notice to be served on landowners in which any portion of a major utility facility is to be located. This notice must also include a clear explanation of how to file with the Public Service Commission a notice of intent to become a party to the certification proceedings and the time period in which the landowner has to do so. The Public Service Commission shall consider the following factors when determining the effect on agricultural lands during its decision process:

- a. The economic viability of active farming within the proposed location;
  - b. Any irreversible and irretrievable commitments of agricultural resources which would be involved in the proposed location; and
  - c. If the proposed location contains land designated with specific prime soil groups, the Public Service Commission should consider the availability of alternative locations that do not contain land with such designated soils.
15. We recommend that when any entity utilizes temporary flags (markers made out of steel, wire, plastic, and/or fiberglass) to identify the location of buried utilities, these markers must be made of bio-degradable materials.

### Power Costs/General Policy

#### POLICIES:

1. We support the creation of a reduced agricultural utility rate for farmers and related agribusinesses, instead of demand metering.
2. We support energy recovery facilities where feasible in the state.
3. We support the continued use of existing nuclear energy plants, provided adequate safeguards are instituted to ensure their safe and environmentally sound use. We also recommend that aged nuclear energy plants be carefully evaluated for their safety and efficiency of operation, and decommissioned if necessary.
4. We support the payment for the protection and guarding of nuclear plants in time of emergency by the National Guard, New York State Police and county sheriffs be made by the State of New York and/or the federal government.
5. We believe that agricultural production and distribution of agricultural products should be given priority for electrical power, gasoline, diesel fuel and natural gas in times of shortage.
6. We urge that the Public Service Commission should include a farmer on the commission.
7. We believe that rural New York should be guaranteed a fair share of cheaper hydroelectricity.
8. We support the Public Service Commission taking a harder stand against allowing higher utility rates exclusive of federal mandates.
9. Public utilities should be required to investigate all complaints of stray voltage on farms within five working days.

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10. We support rural electric cooperatives.
11. We support the use of outdoor wood burning stoves and other domestic forms of energy production and recommend that any regulations imposed on outdoor wood boilers should provide a science-based, balanced, practical, market-driven approach to addressing air quality issues. Specifically, any regulations should:
  - a. Provide a grandfathering clause for all existing wood boilers;
  - b. Maintain any emission limits in-line with those established by the Environmental Protection Agency, either by regulation or voluntary adoption;
  - c. Provide for practical setbacks if necessary;
  - d. Provide for the ongoing adoption of new boilers utilizing gasification and secondary solid boiler technology; and
  - e. Not specify timeframes of use.
12. We recommend that no restrictions should be placed on indoor alternative/renewable heating sources.
13. We recommend all aspects of agriculture should equally be eligible to participate in government programs meant to protect the environment and/or conserve energy.
14. We recommend that New York State should establish a refundable state tax credit for energy used in agriculture production to help offset the increased costs of energy that threaten the financial wellbeing of New York farmers. The tax credit would be a direct income tax credit based on the dollar amount of energy sources utilized in agriculture production and processing.
15. We recommend that the New York Power Authority should be made available across Long Island on an equitable basis.
16. We support a reduction of the influence of utility oversight organizations and strengthen enforcement by the Public Service Commission.
17. We urge that farmers should not be required to pay for compulsory upgrading of electrical lines.
18. We support using New York-produced natural gas to power local co-generation electric plants.
19. We recommend that in the event of a power shut-off by a power company for any non-emergency, the power company should give all affected users a definitive time and date plus a personal phone call or contact.
20. We support the creation of commercially-run natural gas stations for automobile use.
21. We support changing Public Service Commission laws to take into account the size of natural gas services instead of strictly the distance between home heating services.
22. We oppose fuel stations requiring/collecting signatures and information for kerosene purchases.
23. We oppose a moratorium on new natural gas services and oppose the elimination of natural gas as a fuel source.
24. We oppose any mandates requiring only electrical energy for new machinery and building construction.
25. We recommend that nuclear energy be expanded in New York State and the nation as a low carbon energy source.

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26. We support that New York immediately roll back the CES recovery charge that regulators have imposed as a hidden fee on all New York electric users.
27. We support the use of oil and gas-based fuels for food and agriculture production and processing.
28. We oppose any new taxes on fossil fuels in New York State.
29. We support the use of all sources of energy to fulfill agricultural needs.
30. We support the construction of biodiesel facilities in New York State.

### AGRICULTURAL LABOR

Farmers recognize that agricultural labor is one of the most critical inputs to a profitable farming operation. In order for agriculture to prosper there is a need for a knowledgeable supply of people willing to work in the unique environment surrounding agricultural production. Government rules and regulations should be established to benefit both farmers and farmworkers.

#### **POLICIES:**

1. We recommend that the Division of Immigrant Policies and Affairs operate similarly to the former Rural Labor Services, in terms of farmer education and outreach.
2. We support and encourage efforts of the New York State Departments of Agriculture and Markets and Labor, along with Cornell Cooperative Extension, to distribute materials to farmers that offer timely information on all present and new rules and regulations affecting agriculture and its employees.
3. We support a voluntary, not mandatory, day of rest for agricultural employees.
4. We recommend that fringe benefits should continue to be negotiated privately between employer and employee as part of the hiring process.
5. In light of the presence of stringent federal labor regulations, we are opposed to the implementation of New York State labor regulations that are more restrictive than federal standards.
6. We support the continued certification of farm labor contractors, the bearing of all liabilities for unpaid wages by the contractor and the continued unlimited availability of contractors.
7. We recommend increased cooperation and streamlining between the state and federal agencies.
8. We support the establishment of a voluntary mediation program that would allow farmers to resolve labor related problems in an informal manner with equal farmer representation.
9. We recommend that agricultural employers not be obligated to file quarterly employee reports and payments unless the amount withheld exceeds \$1,000 per year. Employers who withheld less than \$1,000 per year should be allowed to file annually. We recommend that the state quarterly withholding reports be simplified by using the same format as federal withholding tax.
10. We support the Agribusiness Child Care Development Center Program.
11. We recommend that farmers in New York State should no longer be

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required to register with the State of New York for the purpose of hiring seasonal workers as now required by the New York State Department of Labor.

12. We recommend that increased funding for the Agricultural Workforce Certification Program should be directed towards attracting future employees to careers in the agricultural industry.
13. We recommend that state field sanitation requirements conform with federal OSHA requirements to allow a three-hour threshold, and/or available transportation for compliance purposes.
14. We recommend that the Attorney General's office review instances of racial profiling by law enforcement personnel working in cooperation with the Immigration and Customs Enforcement Agency, and the Border Patrol, and exercise the powers of that office to prohibit the use of racial profiling and to insist on the use of due process.
15. We support additional funding for migrant and seasonal farm employee healthcare clinics.
16. We encourage the hiring of an outside agricultural economic research firm like the Food and Agricultural Policy Research Institute (FAPRI) or AgriLogic to accurately determine the potential economic impact and ramifications on the agricultural as well as general economy of the implementation of various agricultural labor law changes, including overtime pay, collective bargaining, no unemployment insurance exemption, disability insurance, amongst others.
17. We support an investigation into possible violations of relevant labor rules and laws in connection with filings of "charity" organizations in New York State.
18. We are opposed to human trafficking and encourage strong anti-trafficking enforcement by appropriate agencies. However, we oppose private right-of-action or citizen suit enforcement.
19. We support the online statewide registry for farm labor contractors similar to the Federal registry.
20. We recommend that state labor law recognize that employees selling on-farm raised products at their own seasonal retail locations and/or farmers markets be considered agricultural or farm employees.
21. We support that immigration enforcement should be handled by the appropriate federal agencies. State and local law enforcement and municipalities should not enforce immigration laws.
22. If religious and other charitable non-profit organizations continue to aggressively lobby to end the overtime exemption for agriculture, we strongly support the elimination of the overtime pay exemption for employees of non-profit organizations currently found in New York State Labor law.
23. We support expanding the New York State Department of Labor's prevailing practices survey to include the vegetable and nursery industry, and the dairy industry when appropriate.
24. We oppose any mandatory paid medical leave requirements on employers.
25. We oppose any legislation that would increase employee benefits without significant restructuring to control employer costs.
26. We disagree with any mandatory overtime or collective bargaining requirements. Any changes to overtime should recognize the seasonality

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- of agriculture, the needs of employees to earn money in a short growing season and the benefits already provided to farm employees in New York.
27. We call on the New York State United Teachers Union to stop meddling in agricultural labor law and instead concentrate on public education issues.
  28. We recommend that employers should not be held responsible for enforcing and verifying tax collection, disclosure and appropriate number of reported dependents for employees.
  29. We recommend that farms, like other businesses, should be allowed to have a sign in/sign out policy on the property, including farm worker housing, for the purposes of ensuring the health and safety of any persons on the farm, as well as for liability, food safety, and biosecurity purposes.
  30. We recommend that the New York State Department of Labor be required to follow the Federal H-2A regulations without interpretation and act only as the administrators of the program.
  31. We recommend that if New York State Department of Labor oversteps its role as administrator of the Federal H-2A program then the agricultural users of the H-2A program will have the right to some type of recourse (i.e. mediation, arbitration, etc.) in order to resolve the issue without fear of sabotage or ramifications.
  32. We oppose a state E-Verify system.
  33. We recommend that workforce dollars should be utilized for agricultural skills training, not simply to train workers away from agricultural occupations.
  34. New York Farm Bureau should work with the New York State Department of Labor to establish regulations enabling farm internship programs that would allow farms to hire farmer trainees or apprentices and provide training, board and a stipend in exchange for labor.
  35. We support allowing custom operators/harvesters/haulers who are involved in agriculture be governed by the same New York State wage and hour laws as farmers.
  36. We request that the New York State Department of Labor be required to reconstitute its Rural Employment Representative program. It is also requested that the Division of Immigrant Policy and Affairs be required to have the Rural Employment Representative assist farmers with creation and submittal of H-2A work orders to efficiently obtain labor, guaranteed to be legal, to work on New York State farms.
  37. We oppose an overtime rate being implemented at a per day rate.
  38. We support housing allowances being updated and tied to costs in the community. These may be calculated as part of employee wages.
  39. We support the voluntary use of debit cards to pay employees if an employer and an employee agree to authorize the employer to issue a debit card to the employee for the payment of wages.
  40. We support amending New York State labor laws to allow extended family members of farm owners to work as unpaid volunteers on farm operations.
  41. We support amending New York State Department of Labor regulations to allow farmers who provide housing to employees to let the employees pay their own utilities, in the same manor landlords can do with their renters.
  42. We support that farms should be exempt from mandatory lunch breaks during the work day when requested by the employee.

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43. Rent for housing provided by the farm to year-round employees should be allowed to be deducted from their pay, as long as both parties agree in writing.
44. We support the New York State Department of Labor establishing an Agricultural Labor Advisory Committee, composed of working farmers and other small businesses, to advise the Commissioner on labor issues facing farmers.
45. We support the New York State Department of Labor providing timely and relevant education about labor laws and regulations for farmers and agricultural employers in New York.
46. We support greater statewide consistency and accuracy in interpretations provided by the Division of Immigration Policy and Affairs.
47. We support the establishment of financial penalties to be levied upon members of the public that make unsubstantiated accusations of worker mistreatment to the New York State Departments of Labor and Health.
48. We oppose the New York State Department of Labor attempting to enforce Migrant and Seasonal Labor regulations on year-round farm employees.
49. We recommend that the New York State Department of Labor set up a series of compliance seminars for all agricultural entities that want to participate. This should be done before any New York State Department of Labor audits in order to help farm businesses be in compliance and make audits go smoother. We recommend no penalties be assessed in the first audit.
50. We support the re-establishment of a training wage for all industries. -
51. New York State Departments of Labor and Health should interpret federal laws and regulations in a manner that is consistent, both across the state and with other states in the country.
52. We support changing the labor law for day shift lunch breaks to read “a thirty-minute break midway through the shift”.
53. We support making our state a “Right to Work” state where workers can choose to not pay unions.
54. We support tax incentives to employ on-farm apprentices and for on-farm internship programs.
55. We oppose a separate hourly rate in H-2A contracts for stem clipping apples, but support allowing a separate piece rate.
56. We oppose mandatory employer-funded paid bereavement time.
57. We strongly recommend that New York State Department of Labor be required to keep a registry of the domestic workers they have referred in the past, including the information stating whether that domestic worker completed his/her previous contracts and the reasons why, of the contract was broken. The New York State Department of Labor must also be required to make the registry information available to any H-2A employer to whom New York State Department of Labor has referred domestic workers.
58. We strongly request that the New York State Department of Labor be held financially responsible for any H-2A worker they refer who is transported to the United States by a New York State agribusiness but then cannot meet the employment conditions as stated in the H-2A contract.
59. We oppose allowing “card check” for agricultural employee union votes.

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60. We support a transparent and democratic voting process for the creation and removal of unions on farms.
61. We support a definition of a farm employee who is exempt from the provisions of the Farm Laborers Fair Labor Practices Act to be the parent, spouse, child or other member of the employer's immediate family related to the third degree of consanguinity or affinity.
62. We support farmers being reimbursed for legal expenses for non-actionable legal claims by farmworkers advocacy groups.
63. We recommend that federal guest workers, trainees and interns be exempt from the Farm Labor Fair Labor Practices Act as the program is federally mandated and managed.
64. We support exempting federal guest workers, trainees and interns from paid family leave and disability requirements.
65. We support making permanent the minimum wage reimbursement tax credit and expanding it for workers aged 14 and 15.
66. We support making permanent the farm workforce retention tax credit.
67. We support the work week for compliance of day of rest and overtime can be any seven consecutive days chosen by the employer.
68. We oppose bonus or incentive pay being included and used to calculate the overtime pay rate for farms.
69. We recommend that the New York State mandated sexual harassment training should not be held annually, but rather upon hiring, and then every three years after.
70. We suggest that the New York State Department of Labor not apply federal Migrant Seasonal Protection Act requirements to year-round workers in New York.
71. We oppose the mandated carry over of accrued sick leave time from year to year for all employees. This should be up to the employer and employee to be agreed upon.
72. We support the Grow NY Farms Coalition advocacy to retain the 60 hours/week overtime threshold.
73. We support workforce development initiatives to recruit and train individuals for employment in meat processing facilities in New York.
74. We support the inclusion of agricultural animal sciences, crop science, agricultural engineering, agricultural mechanics as well as agricultural biotechnology in the eligible fields of study and work for the Empire State Development's Employee Training Incentive and Internship Programs.
75. We support removing the requirement for paying overtime on the seventh day of work for farmworkers who volunteer to work.
76. We oppose requiring collective bargaining to be included in the license agreements for cannabis production.
77. New York State should require unions to provide information to farmworkers in easily understandable wording and in the workers' native language, so they can understand the complexities of what they are signing.
78. We support the Department of Agriculture and Markets determining what duties on a farm are agricultural production.
79. We support invalidating any union vote or card signature which takes place on foreign soils as New York's regulatory agencies for unions do not have jurisdiction there.
80. We support decertifying unions by the same procedures used to certify

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them.

81. We support including unions in the same regulations and standards employers must follow with regards to bullying, lying and coercion in their unionization efforts.
82. We support establishing a moratorium on new union petitions until PERB has multi-lingual resources in place to facilitate union decertification.
83. We support allowing employees to file coercion and bullying complaints against unions.
84. We support requiring unions to reimburse employers for all legal fees incurred when their union petition is proven to be out of order.
85. We support exempting H2A employees from unions as they are under a contract negotiated by the state and federal Departments of Labor.
86. We support removing the requirement for overtime payment on the 7th day of a pay period once the overtime threshold is lowered below 60 hours.
87. We oppose any retroactive change to the H2A program, Prevailing Wage or AEWR.
88. We support repealing New York State's COVID-19 paid sick leave.
89. The New York State Department of Labor not apply federal Migrant Seasonal Worker Protection Act requirements to year-round workers in New York.

## Seasonal Farmworker Housing

Seasonal farmworker housing standards should provide a healthy, comfortable environment for workers, while realizing the cost to the farmer and the short period for which the housing is used.

### POLICIES:

1. We support increased farmer participation in the writing of regulations governing farm inspections by state agencies such as the New York State Department of Labor. Such regulations should be reviewed and concurred with by the Commissioner of Agriculture.
2. We recommend that the inspection of housing for seasonal farmworkers be consolidated under one regulatory agency. We recommend that the New York State Department of Agriculture and Markets be granted authority to complete pre-occupation housing inspections for the purposes of the H-2A program and/or farmworker housing occupancy permits.
3. We recommend that all agricultural employers should be allowed to charge a security deposit for housing provided for workers.
4. We support a two-week leeway period for farms that had a New York State Migrant Housing Permit the previous year, in order to address the concerns for pre-approved occupancy of labor housing.
5. We support increasing funding for the loan program between the agricultural community and the State Division of Housing and Community Renewal for the development of new agricultural labor housing and the improvement of existing housing.
6. We recommend that current New York rules and regulations regarding



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unpaid remuneration for employee housing should be aligned; either do not count housing for workers compensation insurance, as part of the compensation package for Women, Infants, and Children (WIC) or unemployment insurance purposes, or do count it for minimum wage calculations.

7. We support allowing farms with water sources meeting class A standards being allowed to use that water in employee housing.
8. We recommend that new changes in Part 15 of the New York State Health Department Code, affecting one year previous-permitted structures, allow for pre-existing and grandfather in clauses.
9. We recommend changing the requirements for agricultural labor housing Section 483-D of Real Property Tax Law to only require a state or county health department permit for receiving the Agricultural Labor Housing tax exemption.
10. We support requiring all organizations that visit farmworker housing, including church groups, be registered with the New York State Department of Agriculture and Markets indicating locations served, services provided and anticipated visitation schedule. This is for the safety of the farmworkers and notification to the farm owner. This should be fee based so that the department can provide a posting at the location with a list of registered organizations.
11. We support the development of cost sharing opportunities with funds such as the Community Housing Block Grant fund to add additional and/or improve current agricultural labor housing to allow for better COVID virus control.
12. We oppose any changes to the regulations for spacing requirements for farmworker housing and request that New York State follow the current space requirements.
13. We support the New York State Refundable Investment Tax Credit for farms including construction expenses for labor housing.

### Minimum Wage

#### POLICIES:

1. We recommend that a separate wage order that meets the unique needs of agriculture should be continued.
2. We support permanent linkage of the state minimum wage to the federal minimum wage, and oppose a separate state minimum wage higher than the federal minimum wage.
3. We support that the allowance for meals and housing should be adjusted periodically to reflect current costs. In determining actual costs:
  - a. The allowances that are provided under the New York State Department of Social Services should be used; and
  - b. Room and/or board should be applicable towards meeting a part of the minimum wage requirements. We recommend that the present law relating to fringe benefits, Section 198-C of Article 6 of the Labor Law, should prevail. Farmers should negotiate fringe benefits and time off at the time of employment and the work agreement should clearly state the benefits that will be given to the employee.

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4. We support piecework as a valid method of payment so long as it meets minimum wage requirements.
5. We recommend that employers should be allowed to pay child support or other garnishes electronically and on a monthly basis.
6. We oppose the New York State Department of Labor Wage Board increasing the state's minimum wage as a way to circumvent legislative authority.
7. We strongly support New York State conducting a fair and unbiased study of the short and long-term effects of the minimum wage increase as per the minimum wage bill language. We support anecdotal evidence be included on the effects of this wage increase on all business segments in New York, particularly agriculture, and the effects of competition from surrounding states. New York Farm Bureau and other business groups should play an integral role in the study.
8. We oppose the proposed regulation by the New York State Department of Labor that would revise the current employee scheduling "call-in pay" requirements of the Minimum Wage Order for Miscellaneous Industries and Occupations.
9. We support amending the tax code in relation to the farm workforce retention credit to make Christmas tree operations, maple syrup operations, commercial horse boarding facilities, licensed farm wineries, and licensed farm cideries eligible for the credit.
10. We support New York State maintaining the existing minimum wage as of January 1, 2023 with no further increases.
11. We recommend that the overtime calculations for H2A employees be based on the AEW rate, not the individual piece rate of the employee.

### Unemployment Insurance

The unemployment insurance system has experienced several changes due to legislative action. We recommend the continual monitoring of this system to ensure fairness for employees and employers.

#### POLICIES:

1. We believe that unemployment benefits should not be available to workers on strike.
2. We support the New York State Department of Labor enforcing removal of unemployment benefits once participants have been offered comparable employment.
3. We recommend that the present system of determining employer responsibility for unemployment benefits be re-examined to prevent the unfair penalization of previous and seasonal employers.
4. We support an averaging of quarters in one calendar year to be used in determining compliance with unemployment insurance coverage thresholds.
5. We support exempting agricultural employers from the first \$80,000 of quarterly wages and indexed for inflation for calculation of unemployment insurance.
6. We oppose any further extensions to unemployment benefits and

- recommend unemployment benefits end at 26 weeks.
7. We support legislation expanding the definition of agricultural labor to include working at farmers markets and allowing agricultural employers to exclude immediate family members when determining liability from unemployment taxes.
  8. We support extending the time to respond to unemployment insurance requests for information from 7 to 14 days.

### Workers' Compensation

We believe the workers' compensation system should be continually evaluated to further enhance the ability to provide timely benefits to injured employees in the most efficient and affordable means.

#### POLICIES:

1. We recommend continued effort to enhance the state workers' compensation insurance system through action on the following issues:
  - a. Prohibition of raids on the State Insurance Fund;
  - b. Creation of provisions for employer deductibles;
  - c. Improvement of administrative efficiency;
  - d. Resolve the independent contractor issue through clearer definitions and more detailed guidelines; and
  - e. Careful monitoring of recently-adopted reforms with an eye towards controlling employer costs.
2. We support using experience ratings for all farms based on the National Council on Compensation Insurance rating plan.
3. Since workers' compensation premiums for corporate officers are currently based upon minimum salary levels that often are higher than salaries paid to family corporate officers, we recommend that premiums should be based upon actual salaries paid.
4. We believe that the New York State Workers' Compensation Board should be required to have one appointee with agricultural experience.
5. We encourage the deregulation of workers' compensation insurance to promote competition by private insurers.
6. We recommend that immediate family members be exempt from workers' compensation insurance coverage.
7. We recommend that farmers markets that rent space to farmers and vendors should be classified as landlords, not general contractors, by the New York State Workers' Compensation Board. (As a landlord, a market would not be held accountable for the workers' compensation insurance of its vendors.)
8. We recommend that monies paid to a self-employed custom harvester not be added to farmers' workers' compensation liability.
9. Since sole proprietors operating as independent contractors are not required by law to cover themselves under workers' compensation insurance, they should, therefore:
  - a. Be denied benefits under any workers' compensation policy while acting as an independent contractor;

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- b. Not be required to provide proof of workers' compensation insurance coverage on themselves as a condition of contract; and
  - c. Third parties who contract with these independent contractors should not be subject to increased workers' compensation insurance premiums based on the fee paid to these independent contractors.
10. We support an income tax credit for employers that pay the minimum yearly premium for workers' compensation insurance for the unused portion for the yearly premium due to low payroll.
11. We strongly support a review of the current classification system to more accurately reflect injury risks to employees on farms in on-farm food processing ventures, such as establishing a separate classification for small scale dairy product processing employees and/or farm stand employees.
12. We recommend that when a business pays workers' compensation insurance premiums, that the premiums be based on only the workers who received a W-2.
13. We recommend that under New York State law for pedestrians, workers compensation should not be the primary insurance coverage, but that no fault auto insurance coverage should be the primary coverage.
14. We support an overhaul of the current classification system as it pertains to the "Interchange of Labor Rule" to accurately reflect each individual employee's workers' compensation category.
15. We recommend that workers' compensation reform be addressed in the coming year. It should include reforms to accept out-of-state provider rates when a worker's permanent address is located in another state and further recommend that all premiums collected be used only for the workers' compensation program and not be sent the general fund. Past funds taken should be returned to the workers' compensation fund.
16. We support a workers' compensation policy mandating that if an employee returns to work without any limitation from an injury, that the employee be required to demonstrate that they were injured again in order to be eligible for a workers' compensation claim.
17. We support the creation of a code in the New York State Workers' Compensation Program for marine employees who are engaged in the production and harvesting of agricultural products.
18. We support increasing the threshold for which a Code 59 review would be triggered from its current level, and we encourage the level to be adjusted annually and indexed to inflation.
19. We oppose farms being required to provide workers' compensation to farmworkers secured by labor contractors who already cover them.

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## State Insurance Fund

### POLICIES:

1. We recommend that the State Insurance Fund should be placed in a dedicated fund to eliminate any additional transfer or borrowing.
2. We recommend that all monies of the State Insurance Fund or any dedicated fund that have been transferred to or borrowed by any New York State fund or agency should be repaid in full and carry an interest rate reflecting the current bond rates that the state pays on the open money market. Furthermore, future transfers must have a written agreement of the repayment schedule.
3. We recommend that when State Insurance Fund reserves exceed the mandated minimum level, the excess reserves should be used to cut workers' compensation rates.
4. We support the State Insurance Fund's efforts to identify and reduce fraud, improve handling of claims in a more timely fashion and encourage their continued improvement.
5. We recommend that the State Insurance Fund decrease the minimum premium for employers to encourage participation in the workers' compensation system.

## Agricultural Youth

### POLICIES:

1. We believe that the agricultural industry must be adequately represented on any boards or councils that have the authority to create or review laws relating to agricultural youth employment.
2. We recommend that a streamlined youth work permit system should be implemented and that the issuing agent should maintain copies of the work permit until the expiration date.
3. Since federal restrictions regarding exposure of children to toxic substances are very adequate, we recommend that New York should not impose additional regulations.
4. We recommend that there be a balance between extension of working hours and the continuing welfare of employed youth.
5. We recommend that the state should continue to adopt the federally-approved prohibitions on hazardous agricultural employment activities for youth.
6. We recommend that children, regardless of age, should be exempt from child labor laws when voluntarily working for their parents, guardians or family members as related by a third degree of consanguinity or affinity on farms owned, all or in part, by that person so long as the child is not kept from school attendance.
7. We support that adolescents, 12 years of age and older, should be allowed to do farm work provided they have received written parental permission.
8. We support that adolescents, 14-16 years of age, should be allowed

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- more flexible hours and additional permitted farming activities.
9. We support the development of apprenticeship programs for adolescents to expose them to career paths, good habits, social skills and work ethic.

## LIABILITY INSURANCE

The number of liability claims and the dollar amount of awards on claims continue to increase resulting in exorbitant premiums and a restrictive insurance market. Many municipalities and individuals are finding that they are unable to obtain liability insurance or cannot receive the necessary coverage at a reasonable cost.

### **POLICIES:**

1. We support legislation which will restore fairness, balance and common sense to New York's tort litigation system, including but not limited to:
  - a. Repealing joint and several liability laws, except in cases where defendants act together to deliberately injure;
  - b. Placing a cap on non-economic damages, such as pain and suffering;
  - c. Eliminating absolute liability for contractors who provide safe workplaces; and
2. We recommend the following changes to the General Obligations Law:
  - a. That the landowner not be held liable for any damage to vehicles, equipment, or the personal injury of trespassers;
  - b. The addition of all forms of outdoor recreation to the General Obligations Law, Section 9-103;
  - c. The ability of landowners to charge fees for legitimate outdoor activities without incurring liability; and
  - d. Hunting licenses shall contain a liability release upon purchase.
3. We recommend the repeal of Labor Law 200, 240 and 241 and the strict liability placed upon contractors and owners of commercial property.
4. We recommend that volunteer fire departments and volunteer emergency rescue companies should be covered by state-supplied liability insurance.
5. We recommend that the landowner be exempt from any liability associated with snow fences put up by towns or municipalities.
6. We recommend that the state provide liability protection for towns affected by state-owned greenways.
7. We recommend that the state provide liability protection for state-funded trails on private farmland.
8. We support the removal from the 2017 Safety in Agricultural Tourism Act (inherent risk law), and its promotion by the New York State Department of Agriculture and Markets, the requirement for farm operators to distribute written information to each visitor of a farm operation, but instead using warning signs to inform visitors.

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## MANDATE RELIEF RECOMMENDATIONS

### **POLICIES:**

1. Since the state mandate reduction remains a critical component to state budget deliberations, we strongly encourage continued efforts by the State Legislature and the Governor to incorporate significant mandate reductions, which will lead to cost savings at the state and local levels. Programs that should be prioritized for reform include:
  - a. Home Rule to promote self-sufficiency; and
  - b. Medicaid to promote better health and prevent abuses of the system.
2. We recommend that significant Medicaid reforms must be incorporated into state budgets to control costs and the rate of growth to closely match the inflation rate. We support the concept of eliminating Medicaid program costs from the real property tax system, if it results in a reduction in property taxes overall.
3. We recommend setting goals for real mandate reforms which include:
  - a. Cost containment of mandated programs in order to provide tax relief for the overburdened taxpayer;
  - b. Greater local control over mandated programs in order to reduce spiraling costs;
  - c. A more stable budgeting process at the local level; and
  - d. A better climate between government and business through tax reduction and the reduction of unnecessary or overburdening regulations.
4. We are opposed to unfunded mandates. All state mandated programs, including Medicaid, should be fully funded by the state and the federal government. New York's ability to impose a local government's share of Medicaid costs should be eliminated. If the state discontinues the funding of a mandate on local governments, emergency services or school districts, the mandate should no longer be enforceable.
5. We recommend that local governments be allowed to cut funding to mandated programs by the same amount that is being cut from other programs to balance a budget.
6. We support an amendment to the Davis/Bacon Act, which would allow rural municipalities to bid on public works projects without adherence to the prevailing federal wage rate clause.
7. We recommend that Medicaid benefits be less than or equal to the national average for Medicaid expenditures.
8. We strongly urge the State Legislature and the Governor to pass into law substantial mandate relief.
9. We support New York restructuring the optional components of its Medicaid Program so that its cost is comparable to other states.

## PRIVATE PROPERTY RIGHTS

Since private property is the number one resource for agriculture, our viability is directly related to the control, maintenance, and regulation of property. Private property rights face continued erosion through enactment of various laws and regulations perceived to be for the public good. In addition to specific policy objectives in this section, New York Farm Bureau policy towards all legislative and

regulatory changes is shaped by their impact on private property rights. Private property rights have been and continue to be our highest priority issue.

## **POLICIES:**

1. We recommend the enactment of a law that protects the property rights of an individual against all actions of either the legislature or an agency of government that compromises the use of the property without proper compensation to the owner.
2. We support the development of a formal impact statement on private property rights for any new legislation, regulatory action or local ordinance.
3. We are opposed to taking private property rights through zoning and regulatory restrictions. If land is taken, it must be accompanied with just compensation under the constitutional rights of the private property owners. We support compensation for a devaluation of private property because of actions by state or local governments.
4. We support the requirement that all landowners be promptly notified by certified letter if any or all of their lands are being considered for any regulatory restrictions, or are being considered for inclusion in a government inventory, map, or plan that would result in regulatory restrictions.
5. We oppose minimum acre zoning that exceeds one acre in agricultural areas, as this has the effect of diminishing land values and amounts to a taking without compensation to the landowner/farmer.
6. We support passing a law that makes privately-owned land automatically posted without the need of signs and markers, with the burden of permission lying with the individuals desiring entrance.
7. We oppose the recreational definition of navigable stream or any other expansion of public navigation on small streams. We support the previous definition of commercial use for navigation.
8. We believe that private property rights should be protected when dealing with wetlands and endangered species. With regard to endangered species in particular, we recommend that incentives be offered to landowners to manage any such species found to inhabit their land.
9. We oppose the loss of farmland through raising the spillway height on dams.
10. We oppose the practice of private, not-for-profit land conservancy organizations buying private land at low cost for resale to governments at a profit.
11. We support making it a felony offense to trespass upon private property with malicious intent to disrupt agricultural operations and/or publish any material gained from entrance on such property.
12. We oppose the requirement of archeological surveys in the sale of the land if it has been cultivated for 10 years.
13. We oppose the establishment or enforcement of "aesthetic quality" standards by any government.
14. We recommend that New York State, rather than the landowner, pay for the search and evaluation of property to determine whether or not historical artifacts exist. In addition, if artifacts of a historical nature



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- are found and the land has certain restrictions placed upon it, we believe that it should be the State of New York's responsibility to purchase the property at a fair market value.
15. We oppose all legislation that would create a crime of "light trespass" in New York State.
  16. We oppose any legislation that would mandate farmers to replace existing outdoor lighting systems on farms.
  17. We oppose any village annexing land that would adversely affect agricultural land and/or operations.
  18. We support amending the New York State Real Property Actions and Proceedings Law to eliminate entirely, or limit in agricultural districts, the ability to use adverse possession.
  19. We recommend that third parties performing activities on properties undergoing an eminent domain seizure or through use of a right-of-way, shall be required by state law to indemnify the landowner by holding an insurance certificate that protects the landowner.
  20. We recommend that trespassing laws be better enforced and that the fines be raised.
  21. We recommend that the New York State Highway Law Article 11, which provides for the taking of private property for a private road, be amended to grant greater protections to the affected landowner.
  22. We oppose the New York State Department of Environmental Conservation restricting streambed restoration projects by a landowner when a stream course changes due to a flood event which does not adversely impact adjacent property owners.
  23. We believe that operators of unauthorized unmanned aerial vehicles flying under 400 feet should be prosecuted for trespassing and invasion of privacy.
  24. We support prohibiting the use of unmanned aerial vehicles to capture images of privately-owned property or the owner, tenant, or occupant of such property without consent.
  25. We support legislation that would require that law enforcement agencies obtain a warrant before using an unmanned aerial vehicle for any surveillance below 400 feet.
  26. We support New York State adopting a law that would allow purple paint to be a means to post property as consistent with several other states.
  27. We support amending state law so that property owners have more rights than those who illegally occupy their property (i.e. squatters).

### **SELF-EMPLOYED RIGHTS**

Since the majority of New York farmers are self-employed, the viability of the self-employed as the largest agricultural producer in New York State is directly related to the regulations covering the self-employed. The self-employed farmer should not be the highest taxed, most regulatory burdened, and least protected New Yorker. New York Farm Bureau policy towards all legislative and regulatory changes shall be shaped by their impact on the self-employed. The rights of the self-employed shall be one of our highest priority issues.

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## **POLICIES:**

1. We support banning all unincorporated business taxes in New York State.
2. We recommend that one size fits all regulations pertaining to business be reviewed so that regulations on the self-employed are not unduly burdensome or cost prohibitive.
3. We recommend reviewing one size fits all penalties pertaining to businesses be reviewed so that penalties on the self-employed are not unduly punitive.

## **TAXES**

### **Estate Taxes**

Estate taxes continue to be of concern to farmers as they impact their ability to pass the farm onto the next generation or to another farmer. Current laws need modification in order to assure the continuance of New York agriculture.

## **POLICIES:**

1. We support the repeal of state estate taxes and probate fees. Until repeal, we support maintaining the exemption at a level equal to or greater than the effective federal estate tax exemption and the stepped-up basis be maintained.
2. We recommend increasing the time allowed to pay estate taxes.
3. We recommend that New York's estate tax code should be changed to allow "payment in kind" for settlement of levies assessed with the concurrence of the executor of an estate.
4. We recommend that agricultural land be appraised at the agricultural use value or market values for estate tax purposes, whichever is most beneficial for the heirs.
5. We recommend that the sale of farm property, including real estate, livestock and machinery should be eligible for the same tax treatment as a lump sum distribution from a corporate pension plan. This would allow a farmer to delay paying income tax on the earnings he has built up over the years by putting the capital into an "IRA" type account and paying tax only on the portion withdrawn each year.
6. We support a change in state law that would base property divisions on after-tax values rather than market value appraisals.
7. We recommend that until the estate tax is permanently repealed, state level estate taxes should not be levied if the land is maintained in agricultural production or land conservation.

### **Income Taxes**

## **POLICIES:**

1. We oppose New York State reinstating income tax surcharges for any reason.
2. We recommend the self-employed be able to deduct health insurance premiums as a business expense.
3. We oppose the use of depreciation as income in the calculation of

- eligibility for social service programs.
4. We support a state tax credit for donations of locally-grown food by farmers to food banks.
  5. We support alcoholic beverage producers being able to file their tax returns electronically, while maintaining their ability to file them manually.
  6. We support a voluntary tax check-off on personal income tax and corporate franchise tax returns for gifts to the New York State horse retirement and rescue fund.

### Sales Tax

The nature of sales tax regulations is an important issue to the agricultural community. We support regulatory and/or statutory changes that would simplify the collection of sales tax, eliminate any remaining confusion about the exemption, and streamline paperwork.

### General

#### POLICIES:

1. We believe that sales tax exemptions on non-production personal property, such as clothing, that reduce local revenue should not be made up by property tax increases. Local governments should have the option of opting out of these exemptions.
2. We recommend simplification of state tax refund forms (i.e. gas tax return, sales tax).
3. We believe that any taxes assessed should be based only on the per unit price of the product or service.
4. We support that all local, state and federal taxes on gasoline be a flat per gallon tax, not a percentage tax.
5. We support posting taxes paid on gas, separated by state, local and federal, by the gallon on gas pumps in the state.
6. We recommend the elimination of the gas tax reduction program and replace it with a fuel credit program for all International Fuel Tax Agreement permitted vehicles.
7. We recommend that sales tax on fuels be based on the wholesale price before other taxes and charges are added.
8. We recommend that sales tax should not be applied on the feed and labor required in boarding broodmares.
9. We recommend that agricultural workers be exempt from paying sales tax for commissary meals when the only source of food is a catering service.
10. We oppose any taxes on equipment such as robotics or drones that are designed to replace people.
11. We oppose insurance corporations receiving a tax credit for investing in rural business growth funds.
12. We support comprehensive policy and program development in order to limit food waste, to ensure that non-saleable, edible foods are donated to those in need, and to inform farmers of the tax incentives and deductions as well as the liability protections in place for use of these programs.

13. We support the fair and easy implementation of the New York Historic Barns Rehabilitation Tax Credit.

## Exemptions

### POLICIES:

1. We recommend the State of New York work with neighboring states to provide sales tax exemption blanks that are valid for the purchase of farm supplies, which are mutually exempt from sales tax.
2. We support the repeal of the current law that requires not-for-profit organizations to pay sales tax on fund raising activities.
3. We support custom slaughtering and processing of meat for human consumption be exempt from sales tax.
4. We recommend that fuel dealers and or vendors and farmers not be charged tax at the point of sale for low or ultra-low sulfur diesel fuels or bio-fuels.
5. We support that all livestock sold for whatever reason should be exempt from sales tax.
6. We recommend that the Farmers' Sales Tax Exemption should be for all purchases that are business expenses for the farm, not just those used in production.
7. We recommend that unprocessed wool, unprocessed alpaca fiber and other unprocessed fiber products, as well as hides and antlers, sold on the farm be exempt from collecting sales tax.
8. We support expansion of the agricultural production sales tax exemption to include food for working dogs.
9. We recommend adding pallets and reusable containers (including rented pallets, IFCOs, etc.) when used in agricultural production to be sales tax exempt.
10. We support on-farm anaerobic digesters for processing manure and associated off take equipment being tax exempt.

## Real Property Taxes

The real property tax is the single largest revenue generator in New York State, and it finances numerous services, some of which are not directly related to the ownership of property, such as education and welfare. The farm community pays a large part of the real property tax burden in rural New York. This burden is a major factor affecting the continued viability of agriculture.

### POLICIES:

1. We support true property tax reform in New York State by shifting the financing of education, social services, Medicaid, etc. from the real property tax to other taxes such as income and/or sales tax. The real property tax should remain exclusively a local tax source.
2. We support the Farmer's Protection and Farm Preservation Act of 1996, which provides an income tax credit on school property taxes paid. The following issues should remain priorities as the program evolves:

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- a. The program should be designed to benefit all farmers equitably;
  - b. The program should not negatively impact the objectives and provisions of the Agricultural Districts Law;
  - c. The program provides that farmers with a leasehold interest of not fewer than three continuous years be eligible for the agricultural property tax credit;
  - d. The program includes property tax reform legislation which applies to all property-based taxes, not just school taxes;
  - e. The agricultural property tax credit threshold should be reduced from the current requirement of 2/3 of excess federal gross income from farming;
  - f. To prevent erosion of the tax benefits provided under the school property tax reform, we are opposed to assessors shifting assessments from farmland to residences, agricultural buildings or other non-agriculture related buildings;
  - g. If property is used for agricultural production the person paying the school taxes should be eligible for the tax credit;
  - h. We recommend amending New York State Tax Law to allow for loss of farm income due to natural disasters to ensure that farmers will still be able to qualify for the Farmers' School Tax Credit. A similar exemption is currently allowed for agricultural assessment;
  - i. Farms should receive an enhancement on the Farmers' School Tax Credit for land that is enrolled in a conservation program.
3. We support repeal of the Homestead Act.
  4. We support that public lands should be assessed and taxed at their fair market value and that property taxes should be paid to all local taxing jurisdictions.
  5. We recommend that the New York Power Authority pay its fair share of property taxes.
  6. We recommend that property that generates unrelated business income for property tax exempt institutions be subject to property taxes.
  7. We recommend that non-profit organizations be property tax-exempt only for land that is utilized for the primary purposes for which they have obtained such status.
  8. We recommend that not-for-profit status be reviewed to ensure that current abuses in the real property tax system be addressed so that only organizations engaged in legitimate charitable, educational or religious pursuits receive tax exempt status.
  9. We recommend that not-for-profit land preservation groups not be exempt from paying property taxes.
  10. We support reform of the real property tax law to resolve the inequity created within a county due to the disparity of assessments and the effect of equalization rates.
  11. We recommend that farmers should only be taxed on services used regarding solid waste, sewer lines, lighting and water lines.
  12. We support the continuation of the forest tax exemption. Townships and counties adversely impacted by the forest tax exemption should

- be compensated.
13. We recommend that farm capital improvement projects which save soil and/or reduce water pollution should be exempt from real property taxation.
  14. We support that the definition of the commodity shed exemption should be expanded to include, but not be limited to, hay, straw, fruits and vegetables.
  15. We believe that privately owned designated wetlands should be exempt from real property taxes.
  16. To help preserve open space and water quality, we support a reduced assessment, similar to agricultural assessment, be developed for undeveloped lands classified as sensitive.
  17. We believe that regardless of the type of school tax reform adopted, control of school district budgets and policy must remain in local control.
  18. We recommend that the farm building exemption be amended to eliminate the five-acre minimum eligibility requirement.
  19. We support allowing local municipalities, following the expiration of the 10-year real property tax exemption, to exempt farm structures for the life of the structure while in use for agricultural purposes.
  20. We recommend that agricultural and horticultural buildings that qualify for 10-year agricultural exemption should not be subject to partial assessment while the building is being built.
  21. We recommend adoption of a law that allows for on-farm temperature-controlled structures for processed or partially processed products to be included in a renewable 10-year real property tax exemption for on-farm processing facilities, tasting rooms, including farm winery and winery tasting rooms and respective farm retail outlets.
  22. We recommend an amendment to the Executive Law and Real Property Tax Law to classify all greenhouses as equipment. Until these amendments are made, we support standardized assessment values for all permanent greenhouses.
  23. We support that assessed values for permanent greenhouses should be regularly updated and included in the agricultural assessment manual and not in the commercial assessment manual.
  24. We support redefining the "aggregate full valuation of taxable real property," within the Real Property Tax Law, to exclude the portion of farmland assessments which are in excess of the agricultural assessment as established by Section 305 of the Agricultural Districts Law.
  25. We recommend that the Office of Real Property Services reinstate reimbursement for training courses for all assessors beyond the basic certification courses.
  26. We support the standardization of rules and an education program for town assessors regarding agricultural properties, agricultural buildings and greenhouses.
  27. We recommend that all properties be assessed at 100% of value, new or old. Budgets should dictate the rate for all properties in each county, town or village.
  28. We support the continuation of the School Tax Relief (STAR) program.
  29. We recommend that the six-year tax abatement program for orchards

- and vineyards be extended to 10 years.
30. Since some individuals donate real estate to not-for-profit groups and take deductions on their income taxes, we recommend that said deduction should also be the basis for assessing real property taxes until such property is used for not for profit purposes.
  31. We support the concept of a new state program that would enhance the Agricultural District and Farmers School Tax Credit Programs by offering further property tax reductions to farm landowners willing to commit to short-term agreements or easements to keep their land in active agricultural use.
  32. We continue to support property tax reform that will further reduce New York farmers' property tax to a level that is compatible with other major agricultural states.
  33. We support more flexibility under Real Property Tax Law 480 in developing required plans. Further, the requirements for use of a fully certified forester should be relaxed on small lots.
  34. We recommend that property taken for utility right-of-ways for transmission lines or pipelines or designated wetlands must have the property tax rates adjusted to reflect the loss of value and use of property.
  35. We support the collection of benchmark sales data and economic income and expense data for determining the assessed value for farms by the New York State Office of Real Property Services and directing the State Legislature to provide line item funding for the establishment of this data and its annual updating.
  36. We favor New York State and all watershed entities paying rent yearly on land set aside from production as an easement for watershed protection.
  37. We oppose the inclusion of trees as real property for the purpose of taxation.
  38. We recommend that wetlands which are identified as mapped entities on the regional GIS system and affirmed by both town planning boards and county agricultural committees should be exempt from municipal property tax assessment.
  39. We recommend that non-farm income excluded from the Farmers School Tax Credit be raised from \$30,000 to \$50,000 and be adjusted by the rate of inflation annually thereafter.
  40. When implementing the real property tax exemption for new orchards and vineyards, we recommend that assessors should utilize the average agricultural values for the tillable land of a parcel and apply that value to the land under the new planting.
  41. We support keeping real estate assessment units as local and small as possible, rather than going to a statewide or regional system.
  42. We support keeping mineral rights values separate from surface rights value in reporting real estate sales.
  43. We recommend that any increased taxes on improvements to land from oil and gas exploration and development be paid by the energy company.
  44. We oppose the granting of a property tax exemption for land that is in the process of being certified for the production of organic crops. Unlike six-year exemptions for orchard re-plantings, converting land

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- to organic production doesn't prohibit the harvesting of crops for any period of time.
45. We support the permanent real property tax exemption of seasonal farmworker housing and the expansion of the exemption to include year-round farmworker housing.
  46. We support a voluntary mediation process in cases where board of assessment review does not adequately address assessment grievances.
  47. We oppose using any classification, other than forest or farmland, for land that is forest or farmland for property taxation purposes.
  48. We recommend that landowners should be notified if any part of their assessment changes, including classification, whether or not their total assessment changes.
  49. We recommend that the Office of Real Property Services should have direct authority over all local assessors in regards to agricultural land and building assessment.
  50. We recommend that New York State reform its real property tax and assessment procedures. Properties purchased at an arms-length transaction should be assessed based on purchase price within three years of the date of sale.
  51. We recommend that properties used for analysis of comparable property values be disqualified if mineral and/or wind rights were part of the purchase price.
  52. We support legislation which will allow a taxpayer who has outstanding tax liens to redeem the liens against the parcel(s) in any order to minimize penalty and interest payments generated by older liens.
  53. We recommend that assessing the speculative value of natural resources, such as mineral rights and gas rights, of a parcel for property tax purposes should not be allowed.
  54. We support including nursery stock, new maple trees, and new berry plantings, except strawberries, in the current six-year orchard and vineyard real property tax exemption.
  55. We support a change to state law that would require a taxing jurisdiction to remove interest and penalties from late tax payments in the case where the tax bill was sent to the wrong address.
  56. We oppose the 25% cap set by New York State on requested assessment reductions on properties exceeding \$450,000.
  57. We support a property tax credit for landowners who allow state sanctioned snowmobile trails on their land.
  58. We support cost sharing, sharing of services and other cost saving methods for local municipalities, school districts and other government entities.
  59. We oppose adding more tax-exempt, municipality-owned properties and any vacant lands should be sold and returned to the tax rolls.
  60. We support industrial development agencies issuing payments in lieu of taxes when agreed to by the local communities.
  61. We support extending the 10-Year Real Property Tax Exemption for newly-constructed or reconstructed agricultural structures.
  62. We support the "Ag-Navigator" program as it exists in Dutchess County, and support its adoption across the state.



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63. Employee housing should continue to qualify for a real property tax exemption even if the owner resides in the house for twenty days or less per year.
64. We recommend returning the STAR exemption to its former accounting practice of showing the amount of the STAR deduction on the school tax form and subtracting it from the total amount levied.
65. We recommend returning control of the STAR program back to local town tax assessors.
66. All farm structures should be included in the 10-year real property tax exemption or be permanently tax exempt.
67. We support extending the 10-year Real Property Tax Exemption for newly-constructed or reconstructed agricultural structures and any other capital improvements on farms that would raise the assessed value of the agricultural operation.
68. We support classifying all agricultural packing buildings as agricultural use buildings for assessment purposes.
69. We support the expansion of the Farm School Tax Credit to non-farm-land owners, who rent their respective property to any and all types of active agriculture production as an incentive to keep their land active in agriculture.
70. We support the implementation of a tax incentive for all active and non-active prime soils on a sliding scale based on the importance of the soil determination.
71. We support preserving the authority of local town and county governments to control the real property tax assessments and the collection of real property taxes as it relates to commercial renewable energy projects.
72. There should be an agriculture representative in the New York State Department of Taxation and Finance to advocate for farmers interests.

## **SECTION 4: ENVIRONMENTAL ISSUES**

### **AGRICULTURAL PROTECTANTS**

Agricultural protectants continue to be a tool for the production of agricultural products. As the use and availability of pesticides becomes more restricted, it is necessary to have economical and effective alternative pest control measures developed.

#### **General**

#### **POLICIES:**

1. We support the use, promotion and funding of Integrated Pest Management (IPM) as an environmentally sound practice. We support increased funding of the IPM Program. We recommend that New York State and Cornell University expand research and development of this program and include aerial application as a recommended option.

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2. We recommend legislation to amend the environmental conservation law authorizing certain uses of pesticides which do not appear on the label, in accordance with and consistent with Federal Law, Federal Insecticides, Fungicide and Rodenticide Act (FIFRA). Legislation should provide for the use of alternate methods of application including aerial spraying.
3. We support the removal of pheromones, not applied directly to a crop, from the pesticide classification to encourage and permit their easier usage.
4. We recommend that pheromones not be registered as toxic chemicals.
5. We recommend that introduced natural predators, parasites, pathogens and bioengineered organisms should be continuously monitored to prevent uncontrolled proliferation. We further recommend that input for appropriate regulation should come from all involved groups, as well as the scientific community.
6. We encourage chemical companies to use safer and more user-friendly packaging, which includes printing that is easily visible.
7. In the interest of promoting reduced pesticide applications, we support increased funding so that effective and environmentally safer crop protectants can be approved for use as quickly as possible through sound science and a transparent state approval process.
8. We support that aerial application should be included as an acceptable method of application for pesticide products applied in accordance with FIFRA, Sections 18, 24c and 2ee.
9. We recommend that the fees for pesticide label registration, pesticide business registrations and applicator certification should not exceed those in states whose agricultural products compete with those of New York.
10. We support the continued use of safe agricultural protectant products for food production. When reviewing an agricultural protectant product, the benefits it provides in the production of food should be considered in the risk/benefit analysis.
11. We recommend that before a pest control product is taken off the market, an effective and economical alternative product must be provided.
12. We recommend reducing the number and type of pesticides available to the public without an applicator's permit.
13. We recommend that an appropriate amount of fees collected for pesticide registration purposes should remain in the Bureau of Pesticide Registration at the New York State Department of Environmental Conservation to expedite the timely registration of chemicals.
14. We believe farmers should be able to purchase pesticides from Canada and elsewhere as long as the product is identical in composition to those registered in New York State.
15. We oppose the New York State Department of Environmental Conservation requiring content labeling for sprayer tanks.
16. We support adequate state funding for the Pesticide Management Education program.
17. We oppose any ban on pesticides based strictly on legislative action and defer all decisions to the New York State Department of Environmental Conservation, as they have experts using scientific data for these decisions and recommendations.

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18. We support the continued use of seed protectant products on seed sold in New York State.

### Public Education

#### POLICIES:

1. We recommend that the State Consumer Protection Board, the New York State Department of Environmental Conservation and the New York State Department of Health inform consumers of the importance, necessity and safety of agricultural protectants for producing a marketable product. The public should also be informed of the safety precautions taken during pesticide applications.
2. We recommend that the public be informed that all applicators must be trained to meet rigid requirements to protect the safety of the public.

### Notification and Reporting

Farm Bureau shares the public's goals of maintaining a clean, safe environment and a high quality of life. Agriculturists have been and will continue to be responsible stewards of the air, water, and soil of our country. We will continue to assist in the development and implementation of programs to maintain these goals. We support the concept of an agricultural pesticide information exchange program that is sensible and does not place an undue burden on the agricultural industry.

#### POLICIES:

1. We recommend that all state agencies be required to abide by all pesticide regulations and reporting requirements.
2. We recommend that Cornell University's College of Agriculture and Life Sciences give economic and feasibility assessments on all proposed notification regulations and participate in any rule making procedure.
3. We oppose any pesticide notification program that requires notice to be given to anyone other than workers before applying pesticides.
4. We oppose the establishment of any pesticide database without sound scientific justification, a review process and a sunset clause. We support the use of actual data and sound science in developing risk levels standards.
5. We support a voluntary study of farm families to evaluate the existence of a relationship between human diseases and pesticide use.
6. We support protecting the public from mosquito-borne illness through Integrated Pest Management practices. The use of Malathion should only be considered as a last resort. If Malathion or any other pesticide is applied by county or state authorities to control mosquito-borne illness, applicators should be licensed and follow the strict guidelines set forth by both the manufacturer and the federal government. State or county authorities responsible for pesticide application must be liable for any damage to conventional or organic farmer's fields or crops, including beehives.

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7. We recommend that local, county and state authorities notify farmers of intended pesticide applications. These authorities should refrain from spraying cropland without explicit permission from the farmer.
8. We support the continued exemption of agriculture from pesticide neighbor notification requirements and encourage a good neighbor policy by supporting a voluntary reverse registry concept.
9. We support the repeal of the Pesticide Reporting Law.

### Registration

#### POLICIES:

1. We recommend that notification should be given to applicators one year prior to discontinuing availability and use of a given product. If a pesticide registration expires or is withdrawn, supplies on hand should be depleted through normal use or the state should provide a location for disposal and reimbursement to users for unused crop protectants.
2. We strongly oppose any law that will restrict New York State agriculture's access to crop protectants that are approved by the federal government. The New York State Department of Environmental Conservation should follow Environmental Protection Agency guidelines for registration and re-registration procedures.
3. We recommend that all third-party registration applications should be acted upon by the New York State Department of Environmental Conservation within 90 days of receipt. We urge the continuation of efforts to "streamline" third party registrations for obtaining limited amounts of materials for specific problems without extravagant cost to the growers or the manufacturer.
4. We support automatic acceptance by state agencies of federally approved bio-engineered crop protectants.
5. We strongly oppose any increase in pesticide registration fees for chemical companies.
6. We encourage the New York State Department of Environmental Conservation staff to carefully consider the net environment and agricultural impact of the registration or denial of registration for pesticides in various regions of the state to ensure that the most effective, sustainable tools are available to growers.
7. We support the use of atrazine and atrazine-related products for agricultural use in New York State.
8. We recommend that the New York State Department of Environmental Conservation streamline and expedite the approval process for EPA-approved products, with a registration decision made within six months.
9. We recommend the New York State Department of Environmental Conservation pursue and expedite registration of Avipel seed treatment bird repellent for the prevention of corn seedling bird damage in time for the coming growing season, so that farmers do not continue to operate at a competitive disadvantage with farmers in adjacent states where this product is already registered.
10. We urge the New York State Department of Environmental Conservation to expedite the registration of the crop protectant Intrepid, so the

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grape industry will have a viable alternative to combat impacts of the grape berry moth.

## Disposal

### POLICIES:

1. We recommend that the New York State Department of Environmental Conservation should work with the New York State Department of Agriculture and Markets, New York Farm Bureau, and the chemical industry to dispose of empty pesticide containers and unused chemicals to expand the Clean Sweep Program.
2. We recommend that the New York State Department of Environmental Conservation's Clean Sweep Program, which collects unwanted and unregistered farm pesticides and is now funded through consent order fines, be funded through the Environmental Protection Fund.

## Training of Applicators

### POLICIES:

1. We recommend the New York State Department of Environmental Conservation financially support continued education on the proper use and handling of agricultural protectants, without raising applicator licensing fees.
2. We further recommend:
  - a. The New York State Department of Environmental Conservation be required to commit funding for educational programs for pesticide applicators;
  - b. Pesticide re-certification credits be transferable from other states (e.g. the New Jersey Vegetable Growers Conference);
  - c. The listing of renewal recertification dates on pesticide application permits; and
  - d. Increased accessibility for learning disabled participants in applicator certification programs.
3. We support the elimination of Section 5, Subdivision 2 of Part 325 of Environmental Conservation Regulations that requires a social security number in order to obtain a pesticide applicator's permit.
4. We recommend that pesticide application educators at our schools and colleges, who currently must pay certification fees in every applicator category that they teach, should be exempt from certification fees as long as they are not actively involved in commercial application.
5. We oppose the New York State Department of Environmental Conservation requiring 45 days' advance application for pesticide credits. The 45-day application deadline will have a negative impact on extension pesticide program participation. Many of the crop management and compliance programs are organized in fewer than 45 days.

## CLIMATE

### **POLICIES:**

1. We support a tax credit for farmers and forest landowners who maximize carbon sequestration potential through a carbon land management strategy and applied practices.
2. We support legislation creating carbon pilot projects on farms and forest lands and cost share assistance programs for their implementation.
3. We support dedicated annual funding of the New York State Climate and Applied Forestry Research Institute (CAFRI) that is a partnership involving the New York State Departments of Agriculture and Markets and Environmental Conservation; the New York State Energy Research and Development Authority; SUNY College of Environmental Science and Forestry; and Cornell University. The institute has initially focused on forest carbon sequestration research in support of New York's role in the U.S. Climate Alliance Natural and Working Lands Initiative. These efforts also should move to support the New York Climate Action Council Advisory Panel on Agriculture & Forestry and the role of farms and forests in the Climate Leadership and Community Protection Act (CLCPA). This funding should also be used to leverage federal and foundation funding and research opportunities for New York.
4. We support sequestering carbon in the soil by such practices as no-till farming and pasturing livestock as a means to combat climate change in New York.
5. We support the allocation of existing and proposed climate funding mechanisms to assist farmers and forest landowners to mitigate the adverse effects of climate change on their farms and forests and to implement mitigation and adaptation practices on their properties.
6. We support landowners voluntarily adopting soil health programs and best management processes that will prevent soil erosion, prevent nutrient loss to aquatic ecosystems and increase soil and forest health.
7. We support financial incentives for farmers and forest landowners to implement soil and forest health practices on their farms and forests.
8. We support the sequestering of carbon in forests and the added sequestration of carbon in wood and bio-based products.
9. We support the adoption of a low carbon fuel standard in New York.
10. We support the substitution benefits that agriculture and wood products can bring to renewable energy and displacement of petroleum-based products.
11. We support research, development and cultivation of *Asparagopsis* seaweeds as dairy, cattle and ruminant feed supplement to reduce the release of methane.
12. We oppose any mandatory requirements being put on farms to meet the 2030, 2040 and 2050 green goals without cost share programs to help pay for them.
13. We support the creation of a statewide agricultural disaster relief fund for the protection and recovery of agricultural properties destroyed by extreme weather events.
14. We oppose the mandatory use of environmental, social, and governance (ESG) to rank farms for any determination.
15. We recommend that regulations implemented as part of the Climate Leadership and Community Protection Act not outpace the techno-

logical and economic feasibility of industry to comply using today's readily best available and scalable technologies. We also believe that NYS should:

- a. Expand the use of ethanol and biodiesel and recognize the impact that renewable fuels have on reducing emissions related to transportation and home heating.
- b. Continue to incentivize climate smart practices, such as advanced nutrient management, cover cropping and reduced tillage, through the expansion of existing programs and/or creation of new programs.
- c. Minimize the impact on the supply chain addressing food and dairy processing, including manufacturing and transportation using heavy duty vehicles.
- d. Ensure that any regulatory changes made to transition New York's energy production to non-carbon sources will continue to provide consumers with consistent and reliable service that meets today's standards.

### **DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

The New York State Department of Environmental Conservation plays an instrumental role in preserving and improving New York State's environmental resources. Farmers are also dedicated to conserving soil and water resources as they are a key to maintaining a viable farming industry in this state. The delicate balance between over and under regulation by this state agency, in an effort to protect New York's environment, is a major concern of the farm community.

#### **POLICIES:**

1. We oppose further acquisition of lands by the State of New York or any county, city or town unless:
  - a. They are purchased from a willing seller;
  - b. The purchases are approved by the legislature on a case-by-case basis;
  - c. The purchases are funded exclusively by the sale to the private sector of non-critical state land;
  - d. The state makes payments in lieu of taxes based on local assessments; or
  - e. There is no net increase in acreage of state-owned land.
2. We recommend that New York State replace additional purchases of land with voluntary conservation easements, which are subject to a renewable lease with sunset provisions.
3. We recommend that rivers should be placed into the Wild, Scenic, and Recreational River system only if located on state-owned land.
4. We recommend that the New York State Department of Environmental Conservation use funds for wildlife management, not land acquisition.
5. We recommend that public land be used for public projects.
6. We recommend continued opportunities for agricultural input to the New York State Department of Environmental Conservation on issues affecting agriculture.

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7. We recommend that the New York State Department of Environmental Conservation reevaluate its approach to environmental problems by adopting a more constructive and educational approach.
8. We recommend that the New York State Department of Environmental Conservation should provide reasonable time limits for businesses to come into compliance with environmental regulations.
9. We support exempting agricultural producers from a permit requirement to haul up to 600 gallons of waste oil per year.
10. We recommend restoration of the agricultural exemption to the Long Island Well Permit Program.
11. We recommend that the New York State Department of Environmental Conservation should give reasonable notice for public meetings and hearings and be directed to include county Farm Bureau and New York Farm Bureau designees on mailing lists for all New York State Department of Environmental Conservation public hearings.
12. We recommend reform of the New York State Department of Environmental Conservation current judicial system to a process whereby proceedings are presided over by an impartial body and criminal sanctions by violation have the option of trial by jury.
13. We recommend that monies collected by the New York State Department of Environmental Conservation, either by fines or legal proceedings, should be placed in the Environmental Protection Fund to replenish losses incurred by violations and to educate landowners to reduce similar violations in the future.
14. We recommend that the New York State Department of Environmental Conservation regulations not restrict best management practices.
15. We support regulatory reform within the New York State Department of Environmental Conservation that requires regional offices to operate under uniform standards and practices.
16. We oppose the establishment of any footprint area by the New York State Department of Environmental Conservation.
17. We support open burning of non-toxic, non-hazardous materials. We strongly oppose a blanket prohibition of open burning in New York State at either the state or local level. The New York State Department of Environmental Conservation should increase its education about the current open burning prohibition and which materials are toxic and/or hazardous to burn.
18. We oppose fees and additional regulations for the farm storage of petroleum, fertilizer (both dry and liquid), and farm chemical products.
19. We recommend that low interest loans should be made available to businesses, to aid in speeding up the process of compliance with chemical and fuel bulk storage regulations.
20. We recommend the use of risk assessments that employ sound science in establishing priority of regulation within the New York State Department of Environmental Conservation.
21. We support the establishment of additional underground mining regulations that will protect surface landowners from damages that occur from underground mining and related operations. Such protections shall apply to surface landowners whether or not they have sold their mineral rights. These protections shall also provide indemnity to such



- landowners if damage occurs.
22. We support and highly recommend that the Commissioner appoint personnel with an agricultural background to head the New York State Department of Environmental Conservation's regional offices.
  23. We recommend that the process for obtaining New York State Department of Environmental Conservation permits issued to municipalities affecting agriculture, such as drainage ditch maintenance, be streamlined.
  24. We oppose fines levied by the New York State Department of Environmental Conservation for incidents caused by wildlife.
  25. We support the removal of New York State Department of Environmental Conservation from regulating non-traditional livestock.
  26. We support the recognition of the New York State Department of Environmental Conservation as the sole environmental regulator of New York State. We oppose local municipalities superseding New York State Department of Environmental Conservation laws.
  27. We recommend that the New York State Department of Environmental Conservation not levy fines against farmers where salt and minerals are provided for livestock in pastures without buildings.
  28. We recommend that the New York State Department of Environmental Conservation be responsible for all wildlife management and control in county and state parks.
  29. We recommend that the Conservation Fund Advisory Board, duly in place as a Conservation Fund watchdog, report to New York Farm Bureau, at least twice a year, on the status of the Conservation Fund and federal revenues, and also status of any vacancies in the Division of Fish, Wildlife and Marine Resources.
  30. We recommend that the New York State Attorney General be barred from prosecuting environmental lawsuits unless a violation has been issued by the New York State Department of Environmental Conservation.
  31. We support a market value monetary reimbursement for crop, apiary and animal damage by wildlife or domestic animals.
  32. We strongly support agricultural plastics being produced without chlorine.
  33. We support a program to increase testing for Chronic Wasting Disease in the deer herd.
  34. We support timber sales and mineral lease/royalty revenues from state-owned lands be committed to the New York State General Fund.
  35. We believe that enclosed farm structures should not be required to comply with any indoor air quality standards.
  36. We strongly oppose defining milk house wash water as industrial waste by the New York State Department of Environmental Conservation.
  37. We oppose any additional hazardous waste land disposal capacity in New York State.
  38. We support the New York State Department of Environmental Conservation notifying a farm operation when a Freedom of Information Law (FOIL) request is granted by the department. The name and address of the person or organization requesting the FOIL information shall be provided to the farm operation.

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39. We support reasonable regulations as part of New York State Department of Environmental Conservation Part 360 Regs that will not overburden craft beverage businesses.
40. We support including “silvopasturing” as an acceptable silvicultural practice in 480-A, if consistent with landowner goals and prescribed by a qualified forester.
41. We oppose the New York State Department of Environmental Conservation’s requirements for retrofitting all engines to meet the 2010 emissions standards.
42. We support the New York State Department of Environmental Conservation providing funds to maintain specific roads in state forest lands on a seasonal basis in order to enhance the use of such areas for recreational purposes.
43. We urge the New York State Department of Environmental Conservation to allow USDA-inspected slaughterhouses located in New York State, that have sanctioned BSE handling procedures, to process deer from the state of Pennsylvania.
44. We support changing Environmental Conservation regulations, part 608, to allow landowners to better control water course and flooding on their property.
45. We support the New York State Department of Environmental Conservation issuing permits for careful gravel bar skimming for on-farm use.
46. Water used to cool milk in plate coolers should not be considered processed waste and should be allowed to be discharged to a ditch or pond.
47. We strongly recommend that landowners be informed when officials are considering changing or altering wetland status on any portion of their holdings.
48. We recommend that the New York State Department of Environmental Conservation make heating oil tanks exempt from New York State bulk storage regulation.
49. We recommend that agricultural businesses with less than 10,000 gallons of petroleum products be exempt from the New York State bulk storage regulation.
50. We support allowing a third-party arbitrator with knowledge of the agricultural industry in New York to be involved in mediating any dispute between the New York State Department of Environmental Conservation and farmers.
51. We believe that waste tires used on agricultural operations should be exempt from the waste tire storage facility regulations when used for agricultural purposes, i.e. covering bunk silos.
52. We support the addition of agricultural uses of creosote treated products (e.g. fence posts, trellis supports) to the list of permissible uses of creosote-preserved wood products.
53. We recommend that the New York State Department of Environmental Conservation have a streamlined permitting process for farmers to complete work in water bodies.
54. We support New York State developing and funding a program to recycle or convert all agriculturally-used tires to assist New York farmers in complying with New York State Department of Environmental Conservation Part 360 regulations.

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55. We support the institution of fines for those intentionally providing false reports on farmers to the New York State Department of Environmental Conservation.
56. We support farmers being exempt from paying the New York State surcharge on used tires.
57. Agricultural operations unknowingly receiving contaminated recycled concrete aggregate material from a person or operation deemed certified by the New York State Department of Environmental Conservation should not be held responsible for cleanup costs.
58. We support allowing for waste tire disposal by means of incineration as part of a waste to energy program.
59. We recommend that New York State accept on-farm mortality incinerators that are approved for use in other states.
60. We support banning any balloons or Chinese lanterns if made with wire or metal or any other non-biodegradable material.

### ENVIRONMENTAL LIABILITY

The liability of farmers for environmental contamination from the use of agricultural chemicals is a potentially devastating burden for an individual producer and for all of agriculture. We support a fair standard of liability that will recognize the farmers' role as a user of agricultural chemicals and in the production of necessary farm commodities.

#### **POLICIES:**

1. We recommend that a negligence standard of liability for groundwater contamination should be applied to farmers based upon the lawful use of agricultural inputs such as fertilizers, crop protectants or sludge at the time of their use.
2. We support a negligence standard of liability for groundwater or soil contamination by a previous owner.
3. We recommend that State Superfund monies should be used for the clean-up of non-negligent groundwater contamination by agriculture.
4. We oppose legislation allowing citizens the right to sue for alleged violations of New York State Environmental Conservation Laws.
5. We oppose mandatory jail time for anyone unwillingly or unknowingly contaminating a waterway or watershed.

### HARMFUL INVASIVE SPECIES

#### **POLICIES:**

1. We recommend that a definition of "Harmful Invasive Species" should include the phrase regardless of origin, species which cause harm to the economy, human health, or the environment, and does not include sub-species, races or populations.
2. We support the New York Invasive Species Council as the sole authority in New York State in developing and implementing a program to list and control harmful invasive species or noxious weeds, provided that the New York Invasive Species Council, the New York State Depart-

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ment of Agriculture and Markets, the New York State Department of Environmental Conservation, the Legislature or any other state entity taking action against harmful invasive species take the following into account:

- a. Keep all state actions as much as possible in accordance with federal policy;
  - b. Do a full risk assessment conducted in cooperation with an appropriate research institution that follows federal guidelines, and considers both the economic and the environmental costs and benefits prior to the listing of a harmful invasive species or noxious weed for regulatory action;
  - c. Appropriate notification and public hearing must be conducted prior to a new listing of harmful invasive species or noxious weed and includes such being published in the state register with a public comment period;
  - d. In no event shall research or scientific surveys conducted regarding the spread of a harmful invasive species or noxious weed impinge upon private property rights. Landowners must give explicit, written permission to researchers or government agency personnel each and every time such person wishes to enter their property for the purpose of doing harmful invasive species or noxious weed research; and
  - e. Should a new listing of a harmful invasive species or noxious weed occur, appropriate funds must be dedicated by the state to control such harmful invasive species or noxious weed, and in no event shall the private landowner be required to undertake a control program without proper compensation.
3. We oppose any do-not-sell list that is separate from a state list of noxious weeds or invasive species.
  4. We support efforts to promote healthy forests by the eradication of invasive, destructive, and non-native flora and fauna.
  5. We support the control of Emerald Ash Borer.
  6. We recommend that the regulations restricting movement of wood products to control the spread of the Emerald Ash Borer be amended to allow landowners of property which straddles a county or state line to have access to all of their property.
  7. New York State should spend more of the resources allotted to the eradication of the Emerald Ash Borer on control practices rather than on detection.
  8. We support full protection of private property rights concerning the detection and eradication of harmful invasive species and noxious weeds.
  9. We support the establishment of a state agricultural indemnity and response fund in relation to harmful invasive species.
  10. We support the immediate eradication of invasive species that threaten New York's maple trees.
  11. We recommend that trees or shrubs that are not harmful to the environment when managed, should not be listed as "prohibited."
  12. We support the eradication of Asian Longhorned Beetle.
  13. We support increasing the penalties for releasing exotic animals into the wild.

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14. We support the inclusion of a plant cultivar on a do-not-sell list by a state or local government agency should be subject to periodic review.
15. We urge that proper action be taken to stop the invasion or spreading of zebra mussels, hydrilla and sea lampreys.
16. We support eradication program funding for the New York State Department of Environmental Conservation giant hogweed, wild parsnip, multiflora rose and all other invasive species not yet detected.
17. We support the necessary funding of the Cornell Invasive Species Clearing House website.
18. We support legislation to mandate the sanitation of utility company vehicles, and their subcontractors, to mitigate transmission of invasive species.
19. We support funding the development of an educational program for invasive species identification and eradication.
20. We support state funding for research on methods of prevention and protection from the spotted lanternfly, along with continued monitoring and collaborating with other states to determine best next steps.
21. We support a control program, not eradication, for Japanese knotweed, knapweed and purple loosestrife, as they are crucial to honey production.
22. We support legislation to prevent the propagation of Palmer Amaranth for ornamental purposes as it is an herbicide resistant invasive species.
23. We encourage the state, county, and towns to better fund and time mowing and herbicide applications on roadways to control noxious weeds and invasive species, such as Wild Parsnip, Japanese Knotweed and Giant Hogweed.

### HIGH HAZARD DAMS

Throughout the state there are large dams, the failure of which could lead to significant loss of life, as well as agricultural lands and property. It is imperative that these dams be maintained in a way that upholds public health and safety.

#### **POLICIES:**

1. We recommend that regulations dealing with dam safety should exempt farm pond dams, as these dams do not pose a significant threat to public safety.
2. We recommend regulations dealing with dam safety should be clearly written to prevent any interpretation that manure storage lagoons be governed by such regulations.
3. We recommend all high hazard dams, those dams whose failure would result in catastrophic loss of property and life, shall be built, repaired, and maintained to Factors of Safety of 2.0 (normal condition) and 1.5 (probable maximum flood condition).
4. We recommend any county wherein a high hazard dam is located may annually retain a qualified engineer to inspect such dam, audit such operation and maintenance records as the engineer shall deem necessary, and report findings to such county. The cost of such inspection and report shall be borne entirely by the owners of such dam.
5. We recommend that failure of a high hazard dam shall be prima facie evidence of negligence, and the owner of a high hazard dam shall be

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- liable for damages resulting from the failure of such dam.
6. We urge the New York City Department of Environmental Protection must maintain the water level of the Gilboa Dam reservoir at a safe level.
  7. We recommend that the New York State Department of Environmental Conservation should be given the authority to use New York City-owned dams to control flooding. These flood mitigation efforts should be in conjunction with the Delaware River Basin Commission when affecting the flow of the Delaware River.

## MINERAL RESOURCES

Oil and gas leasing issues are becoming increasingly prominent in New York State, given our wealth of natural resources. Farmers and landowners have a vested interest in protecting air, water and soil quality on their land and seek to protect their rights with regard to these resources.

### **POLICIES:**

1. We support drilling for natural gas in New York State, including the New York City watershed.
2. We recommend that the New York State Department of Environmental Conservation work with New York Farm Bureau to educate and assist landowners on how best to protect private property from detrimental activities conducted by oil and gas companies, which negatively impact their property.
3. We support landowners being paid on a per unit basis for right-of-way agreements with gas and oil companies.
4. We recommend the establishment of a dedicated fund, funded by natural gas and oil companies operating within the state, to remove commercial pipelines and restore the hydrology of the land after the impacted site is no longer of commercial use, and have strict, continued liability.
5. We recommend the expansion of the current three-day cooling off period to 14 days following the signing of a mineral rights lease agreement, with a 30-day default.
6. We support amending the Environmental Conservation Law to protect unleased property owners from sharing in the cost of drilling a well by reverting to the original statute in force prior to Aug. 2, 2005.
7. We support amending the new gas leasing statute to prohibit gas companies from recovering more than 200% of drilling and operating costs from unleased or third party leased landowners.
8. We recommend the establishment of a dedicated fund to pay for well sealing or converting the well paid for by natural gas and oil companies to farm use when the well is no longer commercially viable.
9. We recommend that New York State require and regulate gas and oil well meters on the well and bypass manifold to assure the accuracy of any output.
10. We recommend that a portion of the profits from gas leasing on state forest land be applied to a land restoration program.

11. We recommend that New York State be required to enter only into agreements submitted through the bid process with a minimum royalty of 25% for drilling on state lands, as is done in other states.
12. We recommend that gas and oil companies be required to provide separate lease agreements for gas storage and for each strata (layer of earth) or single formations of mineral resources.
13. We recommend that a functioning well permitted prior to Aug. 2, 2005 be unitized within one year or shut down until unitization has been completed.
14. We encourage the New York State Department of Environmental Conservation to acquire the technical expertise necessary to monitor and respond to oil and gas issues.
15. We support requiring that landowners and lessees receive their proceeds concurrently with the operator of the well within their spacing unit. Failure of concurrent payments shall halt production until any dispute is resolved.
16. We recommend that the New York State Department of Environmental Conservation be required to include the New York State Department of Agriculture and Markets during the drilling permitting process to ensure the protection of agricultural resources with regard to the siting, construction, reclamation and monitoring of drilling pad areas and access to pipeline right-of-ways.
17. We recommend that every landowner, who owns mineral rights, or any lessee of such owner, be allowed to participate as an operating interest in any well that affects their land prior to Aug. 2, 2005.
18. We recommend that the relationship between landowners and gas companies should be a fiduciary relationship entitling landowners to seismic, production and other data, as well as audit authority.
19. We recommend that mineral leases should include a "PUGH" clause, which would release or pay for leftover acreage not included in a unit.
20. We recommend that gas companies be required to be bonded for at least the full value assessment of all property in a unit.
21. We recommend that, in order to guarantee lease validity, full gas and mineral lease agreements be recorded at the county clerk's office.
22. We recommend that the New York State Department of Environmental Conservation be required to provide seismic, financial and other data for challenges to spacing units.
23. We recommend that the New York State Department of Environmental Conservation establish strict regulations governing the use of explosives for gas exploration, and ensure that necessary liability protections are provided for landowners.
24. We recommend that all permit data and the application itself be made available to all landowners in a spacing unit at the time of the application filing.
25. We recommend that all gas and oil exploration and transportation companies be required to carry performance bonding to cover all damages to road and bridge infrastructure caused by their operations.
26. We recommend that the Office of the Comptroller, and not the New York State Department of Environmental Conservation, be the agency in charge of putting state lands out for bid for mineral resources devel-

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- opment. The State Comptroller should work to see that bonuses and royalties are maximized to the greatest extent practicable.
27. We support state licensing and regulation of gas and oil leasing agents (i.e., Landmen).
  28. We strongly recommend that the New York State Department of Environmental Conservation read seismic data to better set units to protect landowners' correlative rights.
  29. We recommend that social security numbers recorded with leases at the county clerk's office not be made available to the public.
  30. We support calculation of gas and oil royalties based on gross extraction of gas and oil without costs of production.
  31. We believe that if any governmental or regulatory entity denies a permit for gas or oil drilling in watersheds to protect water quality, the landowners must be justly compensated for the loss of their mineral rights.
  32. We recommend that pipeline companies with power of eminent domain should be required to fund a program to provide affected landowners with legal assistance to include, but not be limited to, mediation, arbitration and recapture of legal expenses.
  33. We recommend that the New York State Department of Environmental Conservation require that compulsorily integrated landowners receive the highest royalty within the spacing unit or have the opportunity to negotiate their own contractual terms, and encumber no liabilities.
  34. We support a standard baseline water testing protocol for local streams and private wells paid for by the drilling applicant, but independently implemented following a standard established New York State Department of Health protocol, prior to and after drilling, to safeguard the landowner and his or her neighbors from liability.
  35. We recommend that the New York State Department of Environmental Conservation should study the permeability of various strata to better establish the size of the units and distance between the drill site and adjoining lands.
  36. We support the utilization of the more efficient and cost effective "closed loop" gas drilling technologies.
  37. We support an amendment to state law requiring that oil and gas leases on state lands should be subject to competitive bidding for royalties and bonus payments and be subject to audit and control by the New York State Comptroller.
  38. We support tracking and monitoring of all gas pipelines by the Public Service Commission regardless of pressure, and that all gas lines be registered with Dig Safe New York for the purpose of public safety.
  39. We oppose local governments removing mineral and/or water rights from property acquired through non-payment of taxes.
  40. We oppose any government entity authorizing or negotiating the right to trespass on private property for any purpose, including gathering of data for marketing to private gas companies.
  41. We support the New York State Department of Health/New York State Department of Environmental Conservation requiring a tracer substance in any materials used in drilling/developing wells that would provide more unequivocal evidence of drilling related contamination.



42. We support the New York State Department of Environmental Conservation providing to local, county planning departments, all pertinent information related to the unitization of all properties within the county, in a timely fashion and being made available online.
43. We support drilling for gas in the Marcellus Shale, Utica Shale and other future productive shale layers in New York State. We recommend that the New York State Department of Environmental Conservation include the following items in the final draft Supplemental Generic Environmental Impact Statement (SGEIS) document:
  - a. A comprehensive assessment of impacts on the environment and human health from numerous gas wells;
  - b. A practical plan for the disposal of all waste water that will be generated by hydraulic fracturing of numerous horizontal gas wells, inclusive not only of fracturing fluids, but any waste that will be generated by drilling and fracturing;
  - c. That all expenses to county and local government to implement the SGEIS be the responsibility of gas companies;
  - d. Include a comprehensive list of safer alternatives to currently used fracturing chemicals that may impact human health and safety;
  - e. Develop and publish a statewide strategy to train and hire the many additional staff needed to enforce the final SGEIS, as well as a description of penalties to empower the state to protect the public;
  - f. Full monetary compensation for lost leasing rights in aquifer buffer zones.
  - g. We support prohibiting gas or oil companies from using water from on-site wells for drilling and hydraulic fracturing;
  - h. We support the New York State Department of Environmental Conservation requiring gas drilling companies to disclose their proprietary recipe for hydraulic fracturing fluid to the agency, and disclose to the public a list of chemicals used in the recipe, as a condition of drilling and fracturing permit approval. In addition, the New York State Department of Environmental Conservation should ensure the proper disposal of drilling waste material to protect the environment through coordination with the New York State Departments of Health and Transportation; and
  - i. We support stringent measures to prevent methane migration into aquifers and wells from hydrofracking.
44. We recommend that the New York State Attorney General be more involved in follow-up investigations of complaints and problems associated with the implementation of leasing agreements.
45. We recommend that the fees charged for hydrocarbon drilling permits should be used to properly staff the New York State Department of Environmental Conservation in order to issue drilling permits and monitor the hydrocarbon industry. Any excess funds should be used to streamline the permitting process and fund drilling research.
46. We support the New York State Department of Environmental Conservation having sole authority to regulate mineral exploration and

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- drilling operations for gas and oil in New York State.
47. We oppose the application of “force majeure” by gas companies to extend gas leases when the delay in drilling is due to government regulation.
  48. We support the transport of crude oil along the railroad until a better form of transportation can be found.
  49. We oppose Critical Environmental Areas being used in Agricultural Districts to prevent the extraction of natural resources.
  50. We support the use of gelled propane to extract natural gas in New York State, as an alternative to high volume hydro-fracturing.
  51. New York State should eliminate the practice of compulsory integration, as it relates to gas exploration and drilling.
  52. We support New York State reopening natural gas development to infuse much-needed cash into state and local government coffers, community development and citizens’ pockets.
  53. We oppose ending the production and utilization of New York State gas wells and existing infrastructure.

### NUTRIENT MANAGEMENT

Proper nutrient management is an important aspect of a livestock or dairy operation. Based upon growing public interest and involvement in this issue, there is a need for the agricultural community to steer policy discussions in a positive direction.

#### **POLICIES:**

1. To better address manure management concerns, we encourage Soil and Water Conservation Districts to prepare agricultural water management plans upon request by their cooperators.
2. We recommend that public funding of water quality projects, including low interest loan programs, be available for projects related to agricultural practices, such as manure and other waste management and barnyard reconstruction. Adequate resources, including financial and technical, should be readily available to assist farmers in complying with environmental management.
3. We oppose any legislation on animal density per acre.
4. We oppose the use of calendar dates or statewide bans on manure spreading.
5. Since optimal nutrient management on a farm includes proper manure handling and since application of commercial fertilizers differs, we recommend that any Agricultural Environmental Planning Program should treat these issues distinctly and differently.
6. We support a common sense approach to water quality standards with dialogue between agriculture and county and state agencies.
7. We oppose mandatory regulations and support voluntary use of best management practices in the development of nutrient management plans.
8. We support an effort to coordinate all aspects of manure management which will provide technical assistance, implementation and liability

- protection.
9. We recommend that best management practices be used on smaller farms instead of possibly being mandated under CAFO regulations.
  10. We support an investment in technical support and the development of information resources for CAFO plans in conjunction with the Soil and Water Conservation District, Cornell Cooperative Extension, Farm Service Agency and Natural Resources Conservation Service (NRCS).
  11. We support defining CAFO permits to address nutrient management issues only.
  12. We support continued collaboration with state agencies to implement CAFO policies.
  13. We recommend the New York State Department of Agriculture and Markets and the New York State Department of Environmental Conservation work to defend the confidentiality of CAFO plans, thus maintaining the premise of a General Permit versus an Individual Permit process.
  14. We support that CAFO requirements should not have New York State Department of Environmental Conservation requirements added to them. For instance, the Nutrient Management Plan that a farm is required to have should not have to include such things as placing overhead transmission lines, gas, sewer, water lines, etc. on maps.
  15. We support that private CAFO planners should be given indemnification for the development of certified CAFO plans, similar to existing indemnity provided to Soil and Water Conservation District personnel.
  16. We support more equitable distribution of available Environmental Quality Incentive Program funding between farms of all sizes through a revision in the “needs ranking” process. We recommend that the New York Association of Conservation Districts work with the State Technical Committee to revise this process.
  17. We insist that farmers who are following a state-approved CAFO plan be protected against lawsuits.
  18. We recommend that CAFO farms should be allowed to incorporate the storm water permit for building into their CAFO permit.
  19. We believe that changes to the CAFO compliance regulations should be based on sound science.
  20. We support stepped-up research efforts on methods to control odors from manure.
  21. We recommend that, if air quality rules are to be put in place, these rules must be based on sound science and be given reasonable time periods for implementation.
  22. We support state cost sharing of Certified Nutrient Management Plans.
  23. We support a significant reduction in the paperwork and overhead associated with managing CAFO plans.
  24. We support the use of state funds for a Manure Management Technology Extension position at Cornell University.
  25. We believe that New York livestock farmers have had a longstanding tradition of protecting the environment. To encourage these efforts, revisions to the current CAFO permit should:
    - a. Acknowledge the agriterrorism risk posed to farms. Farmstead and field maps should not be made publicly available;
    - b. Recognize that the New York State Department of Environ-

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- mental Conservation will respond within 60 days if a major change on a farm needs New York State Department of Environmental Conservation approval;
- c. Adopt a definition of discharge that includes a de minimus recognition;
  - d. Provide that farms with a state permit not be charged with discharging without a Clean Water Act permit in the event of a water quality violation;
  - e. Recommend CAFO farms have access to manure storage, unless a CAFO plan demonstrates there is not a need;
  - f. We support the availability of conservation funding to comply with manure storage needs;
  - g. Allow permittees to house information for Annual Nutrient Management Plans for the state CAFO permit describing or disclosing the farmstead facility plan, including the location and operational procedures for facilities, storages, water flows and other elements that serve the farm and its production processes, on the farm or at the certified planner's office. This information should be exempt from the Freedom of Information Law and Freedom of Information Act.
  - h. Retain the current standards for training on manure management.
  - i. Include only NRCS standards that relate to water quality; and
  - j. Allow an existing CAFO moving from one permit to another time to update required structural changes (i.e., moving from the Clean Water Act to Environmental Conservation Law permit).
26. We support removing the requirements for a professional engineer's design and approval of minor best management practices of the New York State CAFO permit.
  27. We support allowing any structures in use on a farm in the current permit that were built to NRCS standards in place at the time or have been certified by a professional engineer to be functioning as designed, to substantially meet the intent of the applicable NRCS standard at the time and to be adequately protecting the surface and groundwater quality, will not have to upgrade to new NRCS standards unless a major modification or change in the structure takes place.
  28. We support that when dealing with CAFO regulations, state officials investigating complaints must be well-versed in current best management practices as per NRCS standards and the regulations should not be subject to individual interpretation.
  29. We support all CAFOs, medium and large, be inspected by the New York State Department of Environmental Conservation.
  30. We support allowing farms adequate time for implementation of sufficient manure storage as regulations change.
  31. We support all lined manure storage structures, whether synthetic or clay, being eligible for grant funding if designed by a certified engineer.
  32. We support increasing the percentage of cost share and the maximum cap from the Environmental Protection Fund to assist farmers in meeting the current CAFO requirements.
  33. We support the Cornell Nutrient Management SPEAR Program as an

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instrumental tool to farm system efficiency and sustainability.

34. We support a one million dollar investment in dairy environmental management systems at Cornell CALS.
35. We support requiring custom applicators of manure to register with the New York State Department of Environmental Conservation to ensure that manure application rules are adhered to and thereby an offer of some protection is afforded to the farm who hires them.

### RECYCLING

#### **POLICIES:**

1. We oppose an Extended Producer Responsibility Law in New York State.
2. We recommend that state bottle redemption centers be required to take all New York marked bottles and cans regardless of where purchased. We oppose mandating New York wineries, distilleries, breweries and cideries to become redemption centers.
3. We recommend that the New York State Department of Environmental Conservation, on both a local and state basis, help find alternate uses or economical disposal or recycling of plastic materials used in agriculture.
4. We recommend that New York State investigate the feasibility of using recycled tires.
5. We support incentives for businesses that will promote and establish farm recycling.
6. We support the continuous expansion of handling recycled agricultural plastics in New York State under the Recycling Agricultural Plastics Program (RAPP).
7. We support the existing bottle deposit law for a refundable \$.05 deposit but not an expansion on New York State farm beverage producers' products.

### SOIL AND WATER CONSERVATION

#### **POLICIES:**

1. We recommend continued support for the Soil and Water Conservation District programs.
2. We support programs intended to improve soil quality through improved drainage on a multi-farm basis.
3. We recommend that the implementation of agricultural pilot projects, through the Section 319 Program under the Clean Water Act, be expedited in New York State directly through the State Soil and Water Conservation Committee.
4. We support a three-way agreement between the Army Corps of Engineers, the New York State Department of Environmental Conservation and local Soil and Water Conservation Districts (SWCD) with the local SWCD acting as the clearinghouse for all permits issued involving agriculture.

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5. We recommend that there be more equitable distribution of Soil and Water funds based upon the agricultural need.
6. We support that with all the added responsibilities, new programs, and pressures from EPA, the New York State Department of Environmental Conservation, counties, municipalities, and land owners, Soil and Water Conservation Districts need additional funding for more resources to help implement and carry out said programs, responsibilities, and duties.
7. We support the voluntary incentive-based Agricultural Environmental Management Program as the best way to address natural resource management on farms and encourage full funding for the program at the state level.
8. We recognize the need for and availability of professional engineers for agricultural project engineering; therefore, we recommend that a list of private professional engineers be made available by the New York State Department of Agriculture and Markets for each Soil and Water region.
9. We support improvements to the application process for government assistance programs whereby landowners can apply once for portions of the farm in multiple jurisdictions and the application will be duplicated and forwarded to each jurisdiction electronically.
10. We support additional funding for New York State Soil and Water to increase engineering staff to assist in the implementation of non-point source grant programs.
11. We recommend that Agricultural Environmental Management and Environmental Quality Incentive Program monies be available to the greenhouse, nursery, and fruit and vegetable industry to help with nutrient management.
12. We encourage New York State to re-establish the funding for the current GRAZE-NY program and expand it statewide.
13. New York State should create an agricultural environmental response fund that would provide emergency low-interest loans to farmers to pay for on-farm environmental remediation projects needed as a result of natural disasters.
14. We support the efforts of the Upper Susquehanna Coalition of Soil and Water Conservation Districts and favor increased funding for the Coalition through the New York State Environmental Protection Fund.
15. We support an in-depth training program for Soil and Water Conservation District employees to more efficiently use staff and resources in the implementation of environmental best management practices on private lands.
16. We strongly recommend that the New York State Agricultural Environmental Management program remain a voluntary program, and that the Agricultural Environmental Management program continue the proactive approach to improving water quality standards.
17. We oppose local and state government laws, policies and actions that unduly discriminate against non-traditional animal producers that are or would be operating under the New York State Soil and Water Conservation Committee's Agricultural Environmental Management standards and USDA and NRCS standards within established agricultural districts.

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18. We support increasing the Environmental Protection Fund appropriation dedicated to Soil and Water Conservation Districts' reimbursements.
19. We recommend that Soil and Water Conservation Districts, acting in cooperation with local governments, be eligible applicants for Local Waterfront Revitalization Grant programs.
20. We support the New York State Soil Health Working Group.
21. We support local BOCES programs being added as approved contractors for soil and water projects.
22. We support continuing the current membership on the soil and water conservation boards of director as defined in state statutes, and continued funding in the New York State Environmental Protection Fund at current inflation-adjusted or increased levels within the inflation-adjusted, budgeted amount to the district.
23. We oppose any alteration to New York State law that would change the mission and function of the soil and water districts without input from county boards of supervisors or county legislatures, New York Farm Bureau, the New York State Grange, New York State Department of Agriculture and Markets, and the four-way partnership (NRCS, NYACD, the State Committee, and the Employees Association).

### WASTE MANAGEMENT

#### **POLICIES:**

1. We support the application of sewage sludge on agricultural lands according to the guidelines set forth by the Cornell Waste Management Institute and the Center for the Environmental Conservation to adopt the published recommendations from the 1997 study and the subsequent 2009 update as these are more protective of both the consumer and the farmer. We further support the premise that liability and responsibility must lie with the waste handling authorities.
2. We recommend that the New York State Department of Environmental Conservation should work cooperatively with localities in developing sufficient solid waste management programs when landfill closures are mandated.
3. We support state financial assistance in the closure of landfills.
4. We support waste-to-energy facilities if and when the technology is proven safe and the correct state-of-the-art facilities are available for the landfilling of the ash.
5. We recommend that public land be considered first for siting landfills, hazardous waste facilities, and the storage and disposal of low-level nuclear waste.
6. We support establishment of waste facilities on a regional basis close to the source of generation. The costs of these facilities should be borne by the producers of such wastes.
7. We strongly oppose dredged polychlorinated biphenyls' (PCB) being processed and/or landfilled on active agricultural land.
8. We support stricter penalties and better enforcement of the litter law.
9. We recommend that state regulations be changed to allow the disposal

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- of farm-generated veterinary medical wastes through voluntary collection and transportation by New York State licensed veterinarians from client herds without paperwork by either party. This waste should be considered part of the veterinarian generated waste stream.
10. We recommend the West Valley site be used for low level waste as long as it is properly maintained and used only for New York State waste.
  11. If continuing to dredge PCBs in the Hudson River, we request that EPA:
    - a. Provide for a schedule to allow producers who irrigate from the Hudson River to continue or provide an alternative irrigation supply;
    - b. Establish a contingency fund to provide financial relief for producers who suffer financial losses attributed to the dredging project;
    - c. Assume all clean-up costs of contaminated agricultural land and any land contaminated by re-suspension; and
    - d. Continue to work with the agriculture community so producers can make informed decisions on how the dredging project could affect their operations.
  12. We support environmental policies at all levels of government which prohibit dumping in the ocean and coastal waters of any contaminated dredge spoil, untreated sludge, or any sludge containing metals, infectious or radioactive wastes.
  13. We encourage the development of additional downstate sources of energy, such as trash to energy recovery facilities, to meet the growing energy demands of that area.
  14. We support the education of both farmers and the public on the benefits and concerns of using biosolids as a source of fertilizer, and using information provided by the New York State Departments of Agriculture and Markets and Environmental Conservation. These agencies are the appropriate regulators for the use of this product and municipal prohibitions restricting the use of biosolids should not be allowed.
  15. We encourage composting of food waste and the utilization of existing composting facilities when practical.

## WATER MANAGEMENT

Farmers continue to be advocates of protecting water resources. Protection of water resources also involves preserving open farmland allowing for aquifer recharge. Water protection standards need to be compatible with necessary agricultural practices on a voluntary basis. Maintaining the availability of an abundant, clean water supply is also an important goal of the agricultural community.

### **POLICIES:**

1. We recommend that the New York State Soil and Water Conservation Committee and the local districts should be the lead agency in the determination of best management practices for the control of non-point source pollution. The committee should receive adequate funding in order to provide the necessary guidance and assistance to implement



- an agricultural non-point source control program.
2. We support efforts to consolidate the number of entities that oversee the regulation of watersheds.
3. We support funding of Non-Point Source Pollution programs through the Environmental Protection Fund.
4. We support the monitoring of watershed studies to ensure agricultural interests and private property rights are addressed properly.
5. We recommend that the New York State Soil and Water Conservation Committee and the Water Resources Institute should review ground-water protection proposals prior to being promulgated.
6. We support education on proper nutrient management.
7. We recommend that when farmers are required to comply with water quality program rules and regulations, funding must be available to finance these projects.
8. We oppose registering, metering, permitting or charging fees for agricultural fresh water usage by any entity. Efforts to obtain agricultural water use data should be done cooperatively between local Soil and Water Conservation Districts and participating farmers.
9. We oppose the New York State Canal Corporation charging for siphons and pumps used for agricultural purposes.
10. We recommend that any regulations developed or practices required within the Susquehanna River Basin and its watershed should be financed by the regulatory authority, and should include local input.
11. We strongly oppose any regional governing body taking control of the Lake Champlain Watershed.
12. We do not support the Lake Champlain Basin Program recommendations of accelerated phosphorus reductions of Lake Champlain. Instead, we recommend no unfunded mandates, no new regulations that winter spreading be permitted and all programs be voluntary.
13. We support the Agriculture Advisory Committee for Lake Champlain.
14. We oppose the findings of the economic analysis in the final plan for the Lake Champlain Management Conference.
15. We support programs that will protect the water resources of the Great Lakes Basin from diversion to other parts of the country.
16. We recommend agricultural water use receive a greater priority relative to other non-potable types of water use and that no restrictions be made on agricultural use when all other uses are restricted.
17. We support that any proposed regulation that may limit the quantity and/or timeliness of a sufficient water supply to produce agricultural products should reflect the full agricultural impact before being implemented.
18. We recommend that governmental agencies or authorities promulgating watershed regulations on local and state levels should be required to hold public hearings.
19. We recommend that watershed commissions have strong agricultural representation and that all members be legal residents of the watershed.
20. We recommend that the New York State Department of Environmental Conservation allow farmers to maintain or make minor changes to rivers and streambeds located on land owned or rented by farmers.

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21. We recommend that the regulatory process to apply for public water be simplified.
22. We oppose all attempts to impose minimum flow standards on agricultural withdrawals from designated waterways.
23. As residential waste from septic systems is a significant problem to water quality, we recommend it be included in watershed reviews.
24. We recommend that local county water quality committees be required to meet after regular working hours (9:00 a.m. to 5:00 p.m., Mon. through Fri.) to afford non-governmentally employed citizens the opportunity to attend.
25. We support the decommissioning of the Susquehanna River Basin Commission.
26. We recommend that the New York State Department of Environmental Conservation, Army Corps of Engineers, and EPA develop standards and regulations that are consistent and compatible between the three agencies. These agencies should collaborate and provide landowners with a list of standards and permits necessary to complete a project.
27. We recommend that water quality projects funded from the Environmental Protection Fund be scored on individual merit and not be restricted by their proximity to priority watersheds.
28. We support in an effort to reduce possible flood damage, the New York State Department of Environmental Conservation and other agencies be less restrictive with respect to the removal of woody debris and excess gravel deposition from streams.
29. We recommend that proof of water pollution source be established before regulation or remedial actions are proposed by any regulatory agency.
30. We oppose any entity or business outside the Great Lakes region being allowed to transport and use water from the Great Lakes.
31. We oppose the EPA Chesapeake Bay Program nutrient allocations for the New York portion of the Susquehanna Basin. We support the viability of agriculture in the New York portion of the watershed with practices that can be reasonably implemented and maintained given the resources available.
32. We support enforcement of the appropriate placement and construction of new water wells in order to protect farm practices, as outlined in current state regulations regarding water well placement.
33. We oppose the creation of any new regional watershed regulations.
34. We recommend that river and stream erosion be addressed by selective dredging and shaping using common sense and limited guidelines. Local oversight of dredging must remain local.
35. We recommend that landowners be able to clean and maintain ditches on their property.
36. We recommend that agricultural and forestry operation activities should be exempt from New York State Department of Environmental Conservation Narrative Water Quality Standards.
37. We support water rights as property rights that cannot be taken without compensation and due process of law.
38. We support a system of appropriation of water consumption rights through state law and oppose any federal preemption of state water

- laws.
39. We oppose giving the New York State Department of Health any increased authority over existing private water wells.
  40. We support the current setback of 100 feet from property lines for all new well construction and encourage stronger enforcement of all new well standards.
  41. We support funding for the Long Island Groundwater/Agricultural Stewardship Protection Program.
  42. We believe that the New York State Department of Agriculture and Markets should have the control to restrict water usage in New York State in cases of wide-spread drought with the advisement of the New York State Drought Management Task Force.
  43. We support that the New York State Department of Health develop guidelines for wastewater treatment from on-farm processing facilities.
  44. We support maintaining the state's standards for chloroform in water in statute.
  45. In the event of wide-spread drought, water from wells on private property should be the right of the private landowner.
  46. We recommend, as a model for solutions for water bodies worldwide, state and federal resources be provided to define the science of Cyanobacteria toxins in Owasco Lake and accelerate development of next level best practices to reduce nitrogen and phosphorus losses into Owasco Lake to prevent Cyanobacteria toxins.
  47. We support an exemption from farms being required to consult engineers on the installation of back-flow prevention devices in water supply lines. Rather, work from a list of approved devices with verification of proper installation by local authorities.
  48. We recommend that access to the waters of the Erie Canal be uninterrupted for agricultural uses during the growing season.
  49. We support allowing farmers access to public water/hydrants.
  50. We oppose any proposed increase in the water level of Lake Ontario over 247 feet above sea level.
  51. We support the right to recapture water off of buildings for on-farm use.
  52. We recommend that municipal water systems offer substantially reduced connect and disconnect fees, and charges per gallon for farms for agricultural use such as irrigation and livestock. Additionally, any surcharges or that portion of the water charge that is related to municipal sewers/waste water treatment should be deducted from the water bill when water is used for agricultural use.
  53. We support prohibiting towns, municipalities and county governments from capping tile lines that drain into public ditches.
  54. We support the New York State Department of Environmental Conservation delaying implementation of the water withdrawal permits.
  55. Landowners, producers or their lenders shall not be held liable for the cost of chemical contaminants cleanups, such as perchlorate and per- and polyfluoroalkyl substances (PFAS), caused by actions over which the producer, landowner or lender had no management oversight or control of decision making.
  56. We support using the best available science and appropriate risk as-

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assessment for the establishment of health goals or regulatory standards and recommend the science and risk assessment used are sound and correct.

57. We oppose any legislation or administrative decision that releases the state government and their contractors and subcontractors from liability associated with pollution of land, water, crops, livestock or products by chemical contaminants.
58. We oppose legislation to regulate class C streams as protected waterways.

## WETLANDS

### **POLICIES:**

1. We support that private property rights should be protected when dealing with wetlands and endangered species regulations.
2. Since cropped wetlands are not irretrievably destroyed as wetlands, we recommend that agricultural use of wetlands should not be considered a permanent conversion and therefore should not be included in a "no net loss" goal for wetlands.
3. We strongly object to the method used to calculate wetlands by the New York State Department of Environmental Conservation in their remapping of the wetlands of New York State.
4. We recommend that wetland regulation should not impede normal agricultural practices. We further recommend that any lands so classified meet all three criteria: hydric soils, vegetative growth and standing water. All levels of government should use a consistent wetland definition.
5. We oppose legislation which would reduce the minimum requirement for wetlands regulation.
6. We support continuation of the agricultural exemption within wetlands and buffer zones, provided for in the New York State Department of Environmental Conservation freshwater and tidal wetland regulations.
7. We support a wetlands permit exemption for agricultural crop drainage projects.
8. We oppose all the New York State Department of Environmental Conservation user fees or permit requirements to regulate normal farming practices that are exempt from the freshwater or tidal wetland regulations.
9. We support:
  - a. The adjustment of land assessments, for those landowners owning regulated wetlands, to reflect the decreased value and usability of this property;
  - b. Full compensation for seizure of property rights; and
  - c. That no additional wetlands be designated.
10. We recommend that an agricultural representative be part of the regulatory review process in the definition and designation of wetlands by the New York State Department of Environmental Conservation, Environmental Protection Agency, Adirondack Park Agency, and the U.S. Army Corps of Engineers.

11. We oppose government acquisition of agricultural lands for the enlargement of the Montezuma Wildlife Refuge and the Wallkill Wildlife Refuge. Further, an agricultural impact study and local public hearings should be held before any land acquisitions commence.
12. We oppose further acquisition of wetlands by New York State or third parties for the specific purpose of reselling to the state, such as Braddock Bay in Monroe County and Black Creek Marsh in Albany County.
13. We recommend that no local municipality or county government be able to regulate wetlands
14. We recommend that the buffer zone for wetlands be decreased to 50 feet.
15. We oppose adopting a wetlands classification system that would grade wetlands according to their environmental benefits.
16. We oppose any buffer zone requirements for regulated freshwater wetlands less than 12.4 acres.
17. We support eliminating wetland mitigation regulations in projects of public need when current regulations would result in the loss of active agricultural land.
18. We oppose legislation allowing local laws to ban pesticide application to local wetland.

### WILDLIFE MANAGEMENT

Wildlife management is an important function and a continuing concern to farmers. Wildlife that damages orchards, vineyards and agricultural crops is a continual, costly problem for farmers. Coyotes are causing severe problems for domestic livestock, while bears are a problem for some honey producers. Current management practices for controlling wildlife pest populations are inadequate.

#### **Hunting Issues**

##### **POLICIES:**

1. We support the harvest of antlerless deer during muzzleloader season, recommend the season be extended for an additional week statewide and allow for the issuance of a second tag.
2. We support free deer hunting licenses for farmers to hunt on their own and rented land.
3. We support the removal of the sunset clause from the current muzzleloader season law which allows an extended season.
4. We recommend that opening day of bear season coincide with the opening day of the gun season for deer in the southern zone.
5. We support increasing the seasonal take of wild turkeys as follows: four Toms during the spring season and four of either sex during the fall season.
6. We support using rifles or shotguns during a year-round season on coyotes, crows, geese and bears.
7. We oppose any legislative restriction on fish and game events.
8. We support a lifetime sportsman's license for a fee of \$5 at age 65.

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9. We recommend that the New York State Department of Environmental Conservation encourage sportsmen to take does as well as bucks and issue the adequate permits to balance the herd.
10. We recommend that the goose, deer and bear season be lengthened and increased to include spring seasons on private and public land.
11. We support the inclusion of crossbows as legal implements for all hunting seasons.
12. We support creating or improving the New York State Department of Environmental Conservation's efforts to curtail the decline of hunting throughout this State by using public service announcements and other means to promote sportsman activities within New York.
13. We support utilizing hunter license fees to fund state wildlife management programs such as the Deer Management Assistance Program (DMAP) and the Venison Donation Program (VDP).
14. We recommend that New York State should encourage an increase in the number and availability of hunter safety training courses.
15. We recommend that wildlife management unit residents have preference over wildlife management unit non-residents in obtaining deer management permits.
16. We support allowing hunters in the Southern Tier to hunt deer and bear in the regular season with handgun, rifle, shotgun, muzzle loading firearm and archery.
17. We support making cable restraint devices legal implements to help control the beaver and coyote population.
18. We recommend that there should be no state-regulated fishing and hunting seasons and licenses for privately owned, captive fish and game.
19. We recognize the code of ethics for the operation of privately-owned big game hunting preserves in New York State.
20. We support the licensing of privately-owned big game hunting preserves in New York State.
21. We support inherent risk legislation for hunting activities on privately owned hunting preserves.
22. We support hunters wearing "hunter orange" during big game gun and rifle hunting seasons.
23. We support the provision of DMAP's permits in all Wildlife Management Units in New York State.
24. We support the continuation of current positive trend in good deer herd management by the New York State Department of Environmental Conservation and recommend the automatic pairing of doe permits with regular buck licenses in high deer population areas. We further recommend that the New York State Department of Environmental Conservation provide information to hunters showing the benefits of managing the deer herd, especially does.
25. We oppose spotlighting on private property without the permission of the landowner, with a fine levied on violators.
26. We believe when purchasing a hunting license, hunters should be allowed to donate as much money as they want to help fund the VDP.
27. We support legislation that exempts domestic and imported animals harvested at a game hunting preserve from sales and compensating use tax.

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28. We recommend that only neutered male swine can be used in hunting preserves.
29. We oppose mandatory deer antler restrictions on public land and private property.
30. We encourage the New York State Department of Environmental Conservation and the New York Trappers Association to work together to establish a regionally appropriate trapping season throughout the state.
31. We support the New York State Department of Environmental Conservation issuing more doe permits in order to better manage the deer population.
32. We recommend farmers who qualify for an agricultural assessment should be exempt from New York State Department of Environmental Conservation Guide Licenses for their principals and employees and be permitted to collect fees for hunting privileges on their land.
33. We support the New York State Department of Environmental Conservation implementing a dove season.
34. We recommend agriculturally assessed land and/or land zoned as agricultural be eligible for hunting, as long as the land meets the minimum general hunting safety requirement set by the New York State Department of Environmental Conservation.
35. We support youth hunters, age 12 and older, under the proper adult supervision, being allowed to hunt both big and small game during the appropriate season, after the completion of a hunter's safety course.
36. We support the 's restrictions on transportation of cervids from states with Chronic Wasting Disease.
37. We support the reduction of hunting license fees and tag fees to encourage more hunters.
38. We support allowing the use of rifles for hunting in Tompkins County.
39. We support the sale of deer urine by deer farms in New York State that have been certified Chronic Wasting Disease-free. We support the use of deer urine by hunters for scents, lures or attractants while hunting.
40. We support legislation that would prohibit the use of unmanned aerial vehicles for hunting wildlife, but with an exception for using New York State Department of Environmental Conservation nuisance permits.
41. We support labeling tree stands on private land with names and addresses the same way traps are labelled.
42. We support a study of the New York State deer population and, according to the findings of the study, adjust permits and the duration of hunting season.
43. We oppose any extension of the big game hunting season in the Southern Zone.
44. We oppose a ban on the use of lead ammunition for wildlife management.

### Nuisance Wildlife Controls

#### POLICIES:

1. We believe farmers are best able to assess wildlife damage on their own property and should have the prerogative to determine appropri-

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- ate humane control on their own property.
2. We recommend that the New York State Department of Environmental Conservation conduct a formal study of wildlife damage to crops and farmland so we know how much it's costing the farmers of New York State to subsidize the feeding and protection of wildlife in the state. The study should include population density of deer, raccoon, wild turkey, beaver, bear, geese, starling, blackbird, crow, pigeons and migratory birds, and other forms of wildlife damage. Farmers and farmland owners should be compensated for the value of the determined damage and the cost of predator control.
  3. We recommend that governmental agencies and private wildlife preserves be accountable for the agricultural damages by lack of wildlife management. Programs should be developed to refund farmers for agricultural damages.
  4. We recommend that permit procedures allow farmer landowners to protect crops, livestock and property from nuisance wildlife and predator damage at any time during the year, including bow season. High priority should be given to the issuance of these permits.
  5. We encourage the New York State Department of Environmental Conservation to fully implement, simplify, and support the Deer Management Assistance Program (DMAP). We support the increased availability and timeliness of nuisance permits and DMAP permits to farmers, as well as increasing where bow hunting is allowed.
  6. We recommend support for the New York State Department of Environmental Conservation's research for alternate deer control measures such as the use of repellents and infertility programs.
  7. We support:
    - a. Additional landowner liability protection as a vital tool for enhanced wildlife management control in New York State;
    - b. Cost sharing and low interest loans by the state be made available to farmers for deer and bear fencing;
    - c. Private landowners being allowed to charge fees for hunting access without incurring additional liability; and
    - d. Economic loss, due to crop damage, to be included as part of citizen education.
  8. We support continued use of the steel jaw foothold and body traps.
  9. We support abolishing the state protection of coyotes, seagulls and crows until their numbers decline to a more manageable level.
  10. We support and insist upon better management of the resident and migratory geese flocks to prevent destruction of crops by extending the goose season.
  11. We recommend that before a wildlife control product is taken off the market, an effective and economical alternative product must be provided.
  12. We support the New York State Department of Environmental Conservation's authority regarding hunting and trapping regulations and are strongly opposed to any legislation which will give regulatory rights to any local government with regard to any aspects of environmental conservation law, especially hunting and trapping.
  13. We recommend that the New York State Departments of Agriculture and Markets and Environmental Conservation establish an indemnifi-



- cation program to fairly compensate agricultural producers for loss or damage caused by wildlife species.
14. We support the following in an ongoing attempt to control wildlife damage to farmland:
    - a. The continuance of the extended muzzleloader season;
    - b. Increasing the number of doe permits issued;
    - c. The activation of implement licenses for New York State residents which allows people the opportunity to take a deer during the rifle or shotgun, bow and muzzleloader seasons;
    - d. Active year-round management of wildlife;
    - e. The active monitoring of diseases in wildlife by the New York State Department of Environmental Conservation;
    - f. An increase in the number of turkeys allowed taken during spring season where populations are high and allow for the taking of a hen turkey in the spring in those areas of high populations and where damage occurs;
    - g. We support sections 11-0521 and 11-0523 of Environmental Conservation Law allowing agriculturists to protect their crops, animals and property from wildlife; and
    - h. We support easing the restrictions surrounding nuisance permits, disposal of carcasses and reporting times.
  15. We support the repeal of restrictions to the removal of beaver and the breaching of their dams. We recommend that beavers be taken off the list of animals to be regulated by the New York State Department of Environmental Conservation.
  16. We are in favor of reinstating a bounty on nuisance wildlife.
  17. We support state, regional, and national policies that recognize that farm animals and agricultural crops are at least as important as wildlife.
  18. We recommend that New York State continue and increase funding for a statewide venison donation program. Such a program should encourage hunters to increase the number of deer taken, in order to assist those in need.
  19. In an effort to make DMAP more farmer friendly, we recommend that the New York State Department of Environmental Conservation eliminate the two doe per hunter limitation.
  20. We support the authority of the New York State Department of Environmental Conservation in dealing with local wildlife management through education of hunters and landowners.
  21. We recommend that modifications be made to the process and procedures, including third party or farmer verification, for declaring wildlife damage to crops and streamlining the permitting of landowners to enact control measures.
  22. We recommend the discontinuation of the release of wild turkeys.
  23. We recommend that agricultural property renters should be afforded the same consideration as landowners in regard to priority issuance of doe permits.
  24. We support an open season on deer for farmers on their own or rented land. In the absence of an open season, we demand that nuisance permits be continued throughout the bow season.

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25. We support extending the ban on feeding wild deer.
26. We are opposed to the importation, relocation and introduction of any wildlife into New York State.
27. We recommend that the New York State Department of Environmental Conservation should be directed to assess the extent to which manure from wildlife and waterfowl overpopulation might be a non-point pollution source.
28. We recommend that the New York State Department of Environmental Conservation regulate the taking of elk and moose in the same manner as deer hunting and trapping is currently regulated.
29. We support opening county parks for hunting to help control the wild-life population.
30. We support a greater effort by the New York State Department of Environmental Conservation to increase the deer harvest through education of hunters and advertising options, such as DMAP, to better address farm crop and forest damage.
31. We recommend that the New York State Department of Environmental Conservation accurately assess the deer population to establish a base line for deer management. From the base line study, the New York State Department of Environmental Conservation should determine if current management efforts are effective or if alternative techniques, such as a professional harvest, must be considered.
32. We support a bear management program similar to the deer management program.
33. We support extending bear hunting to additional areas of the state, including New York City watershed land, to further reduce the bear population.
34. We support hunting in state parks to control the wildlife.
35. We oppose the reintroduction of gray wolves in New York State.
36. We support expanding bear and bobcat (large cats) hunting seasons as needed to reduce agricultural damage and for population control.
37. We support a law allowing a farmer the right to protect his or her livestock from wild and domestic animals.
38. We oppose all state mandated wildlife and livestock setbacks for fruit and vegetable production until research and sound science establishes that animal carriers and vectors of contamination from E. Coli 0157:H7.
39. We urge immediate state funding of research on the animal carriers and vectors of contamination from E. Coli 0157:H7 to establish sound science about this food safety concern.
40. We support a feral swine population control initiative.
41. We recommend that the New York State Department of Environmental Conservation should be required to continue mailing DMAP applications, unless an electronic copy is requested.
42. We support the New York State Department of Environmental Conservation assisting farmers in the control of nuisance bird populations.
43. We support fines and penalties for individuals who release non-native species of vertebrates, excluding predatory species utilized for pest or disease control.
44. We strongly support the addition of bucks to nuisance deer and DMAP

- permits to allow for their legal population control when they become a threat to production farmland.
45. We strongly support the continuous eradication of non-domesticated wild pigs.
  46. We support the use of live hold cable restraints for control of coyote, beaver, raccoons and other nuisance wildlife.
  47. We recommend New York State allow the trapping of snapping turtles.
  48. We support the use of conservation fund money to alleviate crop damage for farmers who earn their primary income from farming.
  49. We recommend that the New York State Department of Agriculture and Markets, New York State Integrated Pest Management, Cornell University, Cooperative Extension and New York State Department of Environmental Conservation work to aggressively research and develop solutions to prevent bird damage to seedling corn, as well as mature sweet corn.
  50. We support the year-round issuance of nuisance permits by the New York State Department of Environmental Conservation. Existing nuisance permits should continue concurrently with any hunting season.
  51. We support extending the deer hunting season which should increase New York State's revenues, help to decrease the overpopulation of whitetail deer and greatly increase the opportunities of youth, students and service personnel to enjoy New York State's vital culture of hunting.
  52. We support DEC providing deer damage permits for damage to new and sapling maple and forestry plantings.
  53. We support the clarification of the interpretation of what silviculture, horticulture and agricultural damage are eligible for nuisance permits.

### **Landowners' Rights Issues**

#### **POLICIES:**

1. We recommend that sportsman and landowner relationship be emphasized in hunter safety courses and license applications.
2. We recommend that when hunters violate landowners' rights, they be subject to the suspension of their hunting license.
3. We support the right of landowners to ask for, and receive, the identification of trespassers on their property.
4. We oppose a restrictive regulatory approach to protecting endangered species habitats.
5. We support raising the fine for trespassing on private property to at least \$100 per offense.
6. We support voluntary management plans to develop wildlife areas on privately owned land.
7. We support that beaver ponds on one person's property should not be allowed to back water on another's property.
8. We recommend that the New York State Department of Environmental Conservation regulations on posting property be changed so that posting is only required for the point of entry to the property.

## SECTION 5: GENERAL ISSUES

### ABANDONED RAILROADS AND LINEAR PARKS

Abandoned railroads have been looked at to provide new opportunities for public access. This can have a negative impact on private property rights. Actions must be taken to resolve current problems.

#### **POLICIES:**

1. We support the return of abandoned rights-of-way to the properties from which they were taken.
2. We recommend that easement rights-of-way obtained by public or private sectors shall not be committed to any new or additional purpose, either during its original usage or after abandonment without consent of the owner of the land underlying the easement.
3. We oppose legislation that would permit utility rights of way, including railroad rights-of-way, to be used for recreational purposes without permission of adjoining landowners.
4. We believe that adjacent landowners should be informed by registered mail and formally involved in all steps of any process to change the use of an easement or right-of-way or other linear passageway from its originally designated use.
5. We believe that government agencies or any other organization which change the use of an abandoned railroad or utility rights-of-way, must be held responsible for fencing, taxes, control of noxious weeds, maintenance of rights of way and other such costs which were required of the railroad or utility. Such agencies or organizations should also be responsible for compensating the owners of the rights of way for use of the property easement and for placement of signs in agricultural districts and other agricultural areas which states that normal agricultural practices occur in the area.
6. We recommend that public notice be issued and a public hearing be held prior to offering sections of abandoned railroad beds for sale.
7. We oppose the Rails to Trails Program when it disregards property owner rights.
8. We oppose the paving of the canal paths.
9. We recommend that trails presently existing on state lands, which are now considered multiple use (hikers, bicyclists, skiers, snowmobilers and horseback riders), be preserved as such.
10. We recommend that utilities, agencies, or other entities should not coerce, intimidate, or otherwise force landowners to relinquish their property rights in abandoned rights-of-way.
11. We support protecting property owners from liability and nuisance lawsuits brought by trespassers.
12. We support providing recourse for landowners to be compensated for damages caused by users of the trail.
13. We support the repeal of state law that has allowed the acquisition of railroad rights of way without regard to reversionary properties or deeded back properties.
14. We support the development and maintenance of trails, specifically for

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use by wheeled off-road recreational vehicles on existing public lands, or willing private landowner's property, in order to limit unauthorized use of these vehicles on private farm property. Any cost should be funded by registration fees and taxes on these vehicles and/or voluntary contributions.

15. We support that federal, state and county monies should be used for its original intent and funding for the trails should be curtailed:
  - a. Where trails are built all possible safeguards should be constructed to keep unauthorized motorized vehicles out;
  - b. Liability for property owners should be covered solely by the operators of the trails;
  - c. Devices, including but not limited to, fences should be constructed to limit trespassing; and
  - d. Privately-owned land bordering trails should be considered automatically posted without need of signs and the burden of obtaining permission should lie with the individual desiring entry.
  - e. We support landowner compensation in the event that the state orders a closure of a railroad crossing due to safety concerns, where the landowner has an easement to access the land, and an alternative route to access this land will add substantial cost.

### ADIRONDACK PARK

#### **POLICIES:**

1. We support the abolition of the Adirondack Park Agency.
2. We recommend that Section 803 of the Adirondack Park Agency Act be amended to include the following: at least two members appointed by the Governor shall be persons employed in agriculture or forestry within the park.
3. We recommend that the New York State Department of Environmental Conservation should retain control of forest, fish, wildlife and pest management programs within the Adirondack Park.
4. We oppose the establishment of a separate law enforcement unit to enforce regulations within the park.
5. We oppose any efforts that would diminish private property rights or infringe on the future viability of agriculture in and around the region.
  - a. We oppose any recommendation that would tax open space and farmland at a higher rate than hamlets.
  - b. We oppose any recommendation to bury all utility lines, which is a needless expense that will be passed on to the rate payers.
  - c. We oppose any expansion of the park and/or establishment of a transition zone because of the possible adverse impacts on agricultural practices including farms, agribusiness, maple production, Christmas tree and other food-related enterprises.

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- d. We oppose the creation of a new administrative unit, such as the Adirondack Park Administration and Adirondack Park Service.
  - e. We oppose any zoning more restrictive than at present.
6. We believe that local governments should retain a major decision-making role in local land use planning and economic development within the park and proposed transition zone, thus continuing a strong home rule tradition free of agency influence.
7. We recommend that environmental objectives should not be set ahead of all other considerations but should be balanced with other identified needs and objectives of the people and local economy within the park. In particular, agriculture and forestry should be encouraged.
8. We recommend that a local independent board of appeals be established to review permit requests denied by the Adirondack Park Agency.
9. We oppose acquisition by any governmental entity of additional land in the Adirondack Park or the use of third-party acquisitions in anticipation of future state purchases.
10. We oppose additional purchases of land by the state within the Adirondack Park for recreation purposes.
11. We recommend that any farmland purchased by the state be allowed to continue in agricultural production.
12. Because the zoning restrictions of the Adirondack Park Agency deprive property owners of the same rights that are constitutionally guaranteed to the rest of New York, we support compensation to the private property owners within the Adirondack Park.
13. We recommend that state lands be harvested according to prudent forest management practices. This process could allow some income from publicly-owned forestland, and produce an ecological environment (feed) for the dwindling deer and bear population in deep aging forest areas.
14. We support the right to a speedy permit process and a 90-day time limit on reviews.
15. We oppose any Adirondack Park property being reclassified as “wilderness” thereby preventing access by motorized vehicles.
16. We support annual compensation from New York State to landowners in the Adirondack Park. Payments would be based on the zoning classification, if the property is not developed.
17. We recommend that, if New York State is determined to meet its renewable energy goals it should set an example and site wind power towers in the Adirondack Park where there is ample wind and mountains.
18. We support multi-carrier cell towers in the Adirondacks.
19. We support New York State Department of Agriculture and Markets superseding the Adirondack Park Agency’s authority in decisions regarding agriculture.
20. We support all state agencies using the same definitions for “agricultural use, agricultural use structures, specialized agricultural equipment and agricultural service use.” Specifically, we recommend that the Adirondack Park Agency accept farmworker housing as an

- “agricultural use structure” and greenhouses, silos, and grain bins as “specialized agricultural equipment” in compliance, along with New York State Department of Agriculture and Markets, Office of Real Property Services, and Department of State building and codes definitions.
21. We support no net loss to the Adirondack private forest.
  22. We support the Adirondack Park Agency using the census definition for farms.
  23. The Adirondack Park Agency should not have jurisdiction over any agricultural production and processing activities and facilities.
  24. We recommend that a lead New York State agency or department be identified and define effective advertising signs for farms stands and other agricultural retail establishments along federal, state, county and town roads within the Adirondack Park.
  25. We support completing phase II of the “I-87 Multimodal Corridor Study of 2004” by establishing a Tourist Destination Signage Program or the formation of the Adirondack Signage Task Force.
  26. We support changing Section 803 of the Adirondack Park Agency Act from governor-appointed positions to elected positions elected by registered voters in the Adirondack Park.
  27. We believe that raising deer for hunting and/or harvest should be considered an agricultural activity within the Adirondack Park.

### CATSKILL REGION

Agriculture continues to have a major presence in the Catskill Region. As a result, farmers continue to have a vested interest in how this region is regulated. The concepts of home rule and private property rights remain guiding principles to farmers and rural landowners in this agriculturally significant area of the state.

#### **POLICIES:**

1. We oppose any regional land use plan or watershed regulations for the Catskill Region that would result in the loss of home rule or impose restrictive regulations that would threaten the viability of this region’s agricultural industry.
2. We believe that the New York City Department of Environmental Protection and the Delaware River Basin Commission should not be allowed to make unrealistic regulations and demands on agriculture and rural life in the quest to maintain a safe water supply. We support home rule and local town control for such purposes.
  - a. The New York State Department of Environmental Conservation should continue to control forest management, fish and wildlife management and pesticide management programs.
  - b. We oppose the establishment of a separate law enforcement unit to enforce regulations within the Catskill watershed region.
  - c. We oppose any taking of private property rights without just compensation.
  - d. If the New York State Department of Environmental Conser-

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vation and/or New York City Department of Environmental Protection bans gas drilling in the Delaware River Watershed to protect water quality, the landowners must be justly compensated for the loss of their mineral rights.

3. We oppose any efforts that diminish private property rights or infringe on the future viability of agriculture in and around the region.
4. We oppose the Catskill Commission or any regional governmental land control by any outside agency.
5. We recommend that New York Farm Bureau should continue to assist in the implementation of the New York City watershed agricultural program.
6. In light of the pressure on farmers to control phosphorous runoff into New York City's reservoirs, we strongly support research into the internal loading (releases by a reservoir's sediment) of phosphorous in New York City's reservoirs.
7. We support research into the effectiveness of planting and harvesting alternative crops as a means to control phosphorous runoff into New York City's reservoirs.
8. We support allowing swimming and all unmotorized boating in the Cannonsville and Pepacton Reservoirs.
9. We believe that land acquired by New York City in the watershed should be assessed at fair market valuation.
10. We are opposed to the New York City Department of Environmental Protection Agency and the Environmental Protection Agency agreement for land acquisition in the New York City watershed without the agreement of the towns in the Catskills.
11. We support increased efforts to educate users on "Leave No Trace" principals and good stewardship of public land.
12. We recommend that the New York City Department of Environmental Protection immediately revise the New York City Department of Environmental Protection-owned farmland use permitting process and requirements with engagement of the agricultural stakeholders.

## EDUCATION

Our challenge for the future is to provide for quality education and equity among taxpayers. Providing a system of education that supplies training in basic skills, an understanding of social and economic concepts and technical skills to meet expanding job opportunities, is one of the most difficult tasks we face today. Rural areas are faced with transportation problems, declining enrollment and inadequate financial resources, which restrict educational opportunities.

### **Agriculture in the Classroom**

#### **POLICIES:**

1. We support continued state support for current programs and the development of new agricultural education programs at the K-12 level in both rural and urban districts to aid in agricultural and food literacy across our statewide population.
2. We support the use of Curriculum for Agricultural Science Education



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- for Learning in the New York State School System to better incorporate agricultural education into the core educational offerings.
3. Since a dedicated fund for Agriculture in the Classroom has been established through the sale of distinctive plates for agriculture in New York State, we recommend that a portion of the revenue generated through the sale of agriculture and farm plates be placed in the Agriculture in the Classroom fund.
  4. We support state funding of the “New York Kids Growing Food” program.
  5. We support the inclusion of agricultural biotechnology information in the Agriculture in the Classroom materials.
  6. We recommend agricultural and farm-plated trucks should be eligible for the agricultural education license plate.
  7. We support and encourage the New York State Museum to change and expand its agriculture display to show the importance of agriculture to the state and on how agriculture makes affordable and safe food for all New Yorkers.
  8. We urge the New York State Department of Education to significantly increase the curricula requirements regarding the history, origin, means of production, and benefits of the food we eat, and request that funding necessary for schools to meet these requirements be provided through the New York State budget without raising taxes by diverting operating aid from existing programs that have failed to meet the goals for which they were originally funded.
  9. We strongly support a more balanced approach in the presentation of agriculture in the New York State Core Curriculum at all educational levels.
  10. We support expanding Agriculture in the Classroom by collaborating with Cornell Cooperative Extension county offices throughout the state to provide educational support to elementary and middle school teachers as they integrate agriculture, food and natural resources instruction into their curriculum.
  11. We support funding for agricultural education at local and county levels.
  12. We oppose any regulation that would limit the use of live animals for incubation embryology in schools.
  13. We recommend that Cornell Cooperative Extension explore the possibility of developing regional teams for Agriculture in the Classroom programs to assist local Extensions in providing this critical piece of outreach to schools.

### High School Agricultural Education

High school agricultural education is an effective way to teach agricultural awareness, agricultural careers and leadership skills. Agricultural education is also an effective vehicle for students to meet and surpass the New York State Department of Education’s Learning Standards. High school agricultural education courses are important resources to qualify young people who are needed to fill the many job opportunities in the production agriculture and agribusiness industries.

#### **POLICIES:**

1. We continue to support funding in the state budget for the Agricultural Education Outreach Program housed at Cornell University, which

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- coordinates pre-K through grade 12 agricultural education through Agriculture in the Classroom, FFA, professional support to the New York Association of Agricultural Educators and Urban Agricultural Education.
2. We recommend continued efforts to improve agriculture programs that offer relevance to core academic concepts as they are applied to the food and fiber systems and prepare students for high-demand, high-wage careers and higher education in agriculture.
  3. We support the continued funding of programs established to assist school districts and career and technical education centers to establish new or expand existing agricultural education and FFA programs guided by the Agricultural Education and New York FFA Strategic Plan.
  4. We recommend that the New York State Education Department continue to have flexibility so that agricultural education courses fulfill high school distribution requirements (CTE course replaces one core subject regents requirement), as well as the 1-3/4 credits in agriculture to meet the middle school CTE requirement.
  5. We support continued agricultural education at local schools and career and technical centers (BOCES). These students can choose from over 300 careers in the agricultural industry and will be our next biotechnologists, environmental engineers, and food scientists that will improve our food supply by producing higher yields with greater food safety standards.
  6. We recommend that high school career counselors include promotion of agriculture careers and post-secondary agricultural education.
  7. We encourage the New York State Department of Education to require the inclusion of agriculture education in schools at each grade from level K-12 and encourage use of relevant STEM based curriculum that meets and exceeds current state educational standards.
  8. We propose the expansion of the New York State educational curriculum to allow for the inclusion of agricultural educational modules including, but not limited to, agriculture in the classroom and agricultural instruction to meet the educational requirements.
  9. We support increasing the capacity of all agriculture education teacher certification programs in New York State to recruit, train and retain agriculture teachers to meet the growing demand for agriculture education in New York's public schools.
  10. We support public-private partnerships establishing a promotion, scholarship cost-share program with New York State schools enticing schools to use the career and technical centers.
  11. We recommend all schools offering courses in agriculture, food and natural resources offer all students full membership in the New York FFA. We propose that school districts be responsible for the cost of the advisor, guest speakers, materials and training for their chapter while New York FFA would provide opportunities for advisor training and student development. New York FFA would open all activities, opportunities and competitions to school-based chapters. We support the pursuit of funding to reduce the cost of school and student participation.
  12. We support legislation allowing students attending/participating in

work-based learning events like 4-H and FFA programs to count their participation towards school attendance. Students would be responsible for obtaining assignments missed while the student was participating in an eligible program.

## Post-Secondary Agricultural Education

Agriculture is New York's largest industry, providing employment in agriculture and agriculturally related occupations. Agricultural education programs should provide training to meet the employment needs of the agriculture and food industries and promote agriculture as a career choice.

### POLICIES:

1. We recommend that SUNY Central should consider the importance of the agricultural and technical colleges to the future viability of the agricultural industry and allocate more funds accordingly.
  - a. We encourage each SUNY college with agricultural programming to create agricultural advisory boards and to adequately support their agricultural programming with funding and promotion to high schools and prospective students of their agricultural coursework.
2. When SUNY Central considers funding for Cornell's statutory colleges, the additional responsibilities of research and extension should be taken into account. We recommend compensation for Cornell University's College of Agriculture and Life Sciences and Veterinary College professors to reflect their additional responsibilities, and be compensated competitively with other land grant universities.
3. We recommend that all teachers be made aware of the Agriculture in the Classroom Program during their college and in-service training.
4. We support in-state tuition rates for children of migrant farm workers who have worked in New York State for six months during the past year.
5. We urge New York State to support funding to modernize the dairy facility at Alfred State College so it can become a real educational asset in promoting the future of agriculture in the region and all of New York State.
6. We recommend a program for new veterinarians entering large animal practices in New York to help support those veterinarians who maintain these practices today:
  - a. We support encouraging new entrants to large animal practices through the development of incentives, such as lower interest student loans, loan forgiveness programs with a required service term in New York State, other educational benefits, and/or tax credits to assist in establishing new larger animal practices.
  - b. Existing rural large animal practice veterinary providers who maintain a practice providing emergency and after-hours service shall receive a \$25,000 "adjustment to income" tax credit.
7. We support New York's agricultural and technical colleges.

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8. We oppose combining the presidencies of the SUNY system.
9. We support adding an agriculture teacher certification pathway that allows an individual who has a bachelor degree with an Initial or Professional Teacher Certification in any of the current Career and Technical (CTE) agriculture titles (animal production, science, business, agriculture engineering and mechanics, plant science, animal science, or natural resources and ecology) and who successfully passes the Agriculture Content Specialty Test, would be granted an additional CTE certification in all agriculture areas.
10. We support additional funding for livestock education, research, and program development at any post-secondary agricultural educational institution.

## Adult and Continuing Education

### POLICIES:

1. We support BOCES vocational agricultural education programs and adult agricultural courses, which provide opportunities for students to receive a quality career education.
2. We support expanded agricultural workforce development opportunities, including on-farm internships and apprenticeship programs.
3. We support the creation and maintenance of meat cutting education or certificate programs at various educational levels and institutions to increase the labor pool for meat processors and on-farm processing knowledge.

## Finances/State Aid

### POLICIES:

1. We believe that:
  - a. State aid should continue to be based on average daily attendance;
  - b. State mandates on local school districts should be fully funded from state revenues; and
  - c. New York State should continue to fund the Rural Education Research Program.
2. We support a dedicated education trust fund, to receive all monies collected in the name of education, including lottery receipts.
3. We support that local control over public schools must be retained and property taxes must be reduced as part of any reform proposal.
4. We support differential statistical aggregation, so that rural towns are figured as rural, rather than urban when the Consumer Price Index is figured for school taxes.
5. Because special education has become a burden financially to local school districts, we feel there should be a cap of 2.5 times the cost of what a local school district would pay to educate a child. After this cap, the balance of cost of a special education child should be assumed by the state.
6. We recommend that any proposed state legislation and/or budgetary proposals regarding education which affects school budgets be sub-

- mitted to school districts for review and comment prior to enactment.
7. We believe before mandating the merger or consolidation of any school district, the state should first redistribute state aid in a manner that shifts aid from paying for supplemental services in certain districts to ensuring coverage of basic needs in all districts.
  8. We recommend New York State stand behind committed funds for school budgets for an entire fiscal year.
  9. We support the inclusion of school greenhouses and maple processing facilities as classroom space in order to be eligible for building aid.
  10. We support establishing a proportional threshold regarding the allotment of state aid to public school districts as a means of encouraging mergers.
  11. We support abolishing the New York State Gap Elimination Adjustment for schools.
  12. We oppose allowing school districts to circumvent the 2% property tax cap by allowing districts to have voters approve separate propositions outside of the normal school budget process.
  13. We oppose New York State reducing dramatically the state aid to local school districts.
  14. We support more equitable distribution of state aid to school districts.

### General Issues

#### POLICIES:

1. We support an aggressive, comprehensive educational program, presenting the facts of agricultural production and information relating to the overall economic impact of food costs, to the general public, legislators and school children. This program should include the Agriculture in the Classroom curriculum.
2. We recommend the Agriculture in the Classroom program and Farm City Week materials be made available to all groups and consumers. We further recommend that programs be supported which will result in an agriculturally literate public.
3. We support comprehensive agricultural education programs that include classroom/lab instruction, supervised agricultural experiences and FFA chapters. FFA is integral to the instruction of agricultural education by developing premier leaders, personal growth and career success.
4. We oppose the action of some state universities and local school systems having sold the exclusive right for sale of the products of beverage companies.
5. We recommend that New York State support agricultural awareness across the state to demonstrate to the general public the positive aspects of modern agriculture.
6. We support the statewide Continuum for Agricultural Education Initiative and its components of agricultural literacy, secondary (high school) education, agricultural youth leadership development (FFA), urban agricultural education, and postsecondary agricultural education in-service.

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7. We believe that school districts should not be penalized with loss of state school aid when a resident wins a large lottery prize, which skews the Local Combined Wealth Ratio in the school aid formula.
8. Materials disparaging industry-accepted practices of animal agriculture must not be placed on display or used for educational instruction in schools.
9. We support Cornell University's "Alliance for Science" and call on the university to reject efforts to remove it from its campus.
10. We support the establishment of a Commission for Agriculture Education, led by the commissioners of Agriculture, Education and Labor, the Senate and Assembly Agriculture Committee chairs, stakeholders from relevant business, industry, workforce development and education, and a student representative.
11. We support the creation of an advisory workgroup that will bring together the commissioners of Agriculture, Education, and Labor to serve as an advisory capacity on the expansion and improvement of agriculture education programs across New York State.

## School Meals Programs

### POLICIES:

1. We continue to support legislation requiring state and federal funding of school nutrition programs for breakfast, lunch and special milk programs.
2. We encourage schools to use food products produced in New York State in fundraising, school meal programs and in vending machines.
3. We support increased sales of milk in schools by encouraging districts to explore utilizing milk dispensers and offering additional servings of milk as part of a Type A lunch.
4. We strongly advocate use of REAL dairy products in school lunch programs.
5. We support requiring school lunch programs for grades 7 and above to serve one pint of milk.
6. We oppose the sale of soft drinks in public schools.
7. We strongly oppose efforts to discourage the use of milk and milk products in public and private schools.
8. We encourage the use of re-sealable single serve containers for school milk.
  - a. We support the availability of many choices of flavored milk.
  - b. We support the availability of fortified and whole milk in schools.
9. Child school nutrition programs should be based on sound nutritional guidelines, which encourage the consumption of New York fluid milk, dairy products, and fruits and vegetables within school meals, vending machines, and a la carte choices.
10. We oppose a "meatless day" in school lunches.
11. We strongly oppose the New York Parent Teacher Association working to ban all genetically modified foods and ingredients from school

- lunch programs.
12. We support increasing the state school meal program reimbursement to assist schools in purchasing New York-grown products such as fruits, vegetables, meat, milk and other dairy products.
  13. We support the current school food programs especially providing for hot or cold breakfast and lunch with cold dairy milk as part of the public education system.
  14. We support New York State requiring that all public schools have the option to offer all types of dairy products.
  15. We support pouring rights contracts at public schools and public institutions of higher education that offer opportunities for small family-owned businesses to sell milk and milk-based products, offer more variety of non-sugar sweetened beverages, and maintains affordability, convenience and power of choice for students, staff, faculty and visitors.
  16. We support New York State establishing and funding a permanent Healthy School Meals for All program.
  17. New York State should not provide meal reimbursement to schools that do not serve milk regardless of the circumstances.

### EMERGENCY SERVICES

#### **POLICIES:**

1. We recommend that the state maintain current standards for procedures used by existing volunteer Emergency Medical Service (EMS) companies, without requiring further future expansions in their scope of service as a prerequisite for continuation.
2. We recommend that all state mandated equipment and training for volunteer fire and rescue squads must be state funded.
3. We support continued use of the FARMEDIC training program as the preferred training vehicle for fire departments and emergency response teams.
4. We recommend rural communities be allowed flexibility in training requirements for volunteer rescue squads.
5. We support the distribution of KI (Potassium Iodide) pills to all people in counties with nuclear power plants that would not be able to evacuate because they are caring for livestock. We would ask that an adequate supply, enough to last the duration of the nuclear emergency be supplied to all livestock owners.
6. We recommend that New York State develop incentives to encourage more people to become trained as emergency medical technicians.
7. We support training for emergency responders to address solar array, battery storage and electric vehicles fires.

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## EMINENT DOMAIN

Eminent domain represents the ultimate infringement upon private property rights. As such, the use of eminent domain must be limited and occur only in a way in which maximum deference is accorded to the owner or property. We continue to believe that property rights are among the human rights essential to the preservation of individual freedom.

### **POLICIES:**

1. We believe that all parties should be fully informed before eminent domain procedures are instituted. Furthermore, we believe eminent domain should be used only as a procedure of last resort and all eminent domain procedures should be strictly adhered to.
2. We recommend that when farmland, in an agricultural district, is taken by eminent domain, the value should be placed on other factors including the economic importance to the farmer. The land should be purchased by the condemning agency at the full, independently appraised market value with prime consideration being given to the severance loss. Payment should be received upon transfer of title.
3. We recommend that when eminent domain is invoked, a seller should be given the option of complete buyout if partial purchase would leave the property economically nonviable.
4. We believe that agricultural use of land should be given equal priority to any other use of land and farmland should be subject to an agricultural impact statement prior to eminent domain proceedings.
5. We urge that land, previously condemned by eminent domain but no longer of use for the specific purpose for which eminent domain was invoked, should be returned to the present owner of the lot of which it was a part at the owners' option.
6. We recommend that the New York State Department of Environmental Conservation should not be allowed to use eminent domain or third parties in acquiring lands for the state.
7. We recommend that utilities and natural gas pipeline projects be prohibited from acquiring agricultural land by eminent domain. If eminent domain proceedings are recommended, the following criteria must be satisfied:
  - a. The utility must demonstrate actual and immediate need.
  - b. All alternative routes have been considered.
  - c. A legally binding agreement must state that the farmer and his successors retain the right to use the land for agricultural purposes.
8. We are opposed to the use of eminent domain or mandatory conservation easements to acquire lands to be used for recreational uses, farming or for aesthetic and material enjoyment.
9. We strongly oppose the use of eminent domain to site solid waste management facilities on or contiguous to productive agricultural lands, both in and outside of agricultural districts, or where negative agricultural impacts will result.
10. We support the creation of an appeals process, whereby any project, which enforces the right of eminent domain, can be required to assess the impact of such action on the landowner's entire holdings.



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11. We support legislation that would give the New York State Department of Agriculture and Markets expanded oversight over the siting and land reclamation of all pipelines and utility rights-of-way that affect all viable agricultural lands, not just agricultural district properties.
12. We are opposed to the use of eminent domain by a non-elected body such as a county industrial development agency.
13. We oppose the use of eminent domain for transferring land to entities that will provide higher tax revenue or greater economic development benefits.
14. We oppose the taking of property by eminent domain for private for-profit entities.
15. We support a state law or constitutional amendment which restricts the use of eminent domain to prohibit it from being used for economic development.
16. We strongly support requiring an agricultural and economic impact statement when any land within an agricultural district may potentially be taken under eminent domain.
17. Eminent domain should not be allowed to be exercised on lands protected for forever-agricultural use under New York State's Purchase of Development Rights Program.

### LAND USE PLANNING

#### **POLICIES:**

1. We recommend that land use planning should remain a local government power consistent with Agriculture and Markets Law.
2. We oppose any regional land use plan that would:
  - a. Result in the restriction of home rule, which is guaranteed by the New York State Constitution; or
  - b. Impose regulations that would threaten the viability of New York agriculture.
3. We believe that smart growth should not be state mandated either by law or by the withholding of normal state funding of local government expenses.
4. We oppose state planning or the forced state collaboration with local government except when specifically asked for by the municipality.
5. We support intermunicipal agreements on land use planning.
6. We support planning which supports the agricultural districts program and county agricultural and farmland protection plans.
7. We recommend the elimination of the term "general welfare" from the enabling legislation of land use planning. Current enabling legislation cites public health, safety and general welfare as a basis for justification.
8. We recommend any inter-municipal advisory or planning boards have agricultural representation. When siting roadways, the New York State Department of Transportation regulations should consider the impact upon agricultural land. Land protected by the Agricultural Districts Law must be preserved and the law enforced.
9. We support the use of, but not a limitation to the use of, mediation in the prevention or resolution of municipal planning and zoning disputes.

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10. We support that a municipality consider the impact on agriculture of any proposed local ordinance, law or action through consultation with the county Farm Bureau.
11. We support the use of agricultural impact statements when there are changes in zoning. Agricultural owners and businesses must be notified by certified mail by local planning boards, the local municipal board responsible for zoning changes.
12. We support the evaluation of each municipality in New York State to assess and monitor the compatibility of local laws, regulations and attitudes towards agriculture.
13. We recommend that lands in the agricultural districts should be exempt from any town taxes levied for open space land protection.
14. We recommend that combining municipalities should only be done when financially prudent.
15. We oppose the United Nations Agenda 21 and 2030 and the ratification or implementation of their components at any level of government.
16. We support the Hudson River Valley Greenway program and the principles and concepts on which it is based.
17. We support the designation of solar arrays as agricultural development pressure items.

### MISCELLANEOUS

#### **POLICIES:**

1. We oppose any restriction of our right to own and carry firearms, as this right is guaranteed by the second amendment of the United States Constitution. In addition, we support full repeal of the New York SAFE Act.
2. We oppose New York State background checks in order to buy ammunition.
3. We support the continued local county control of general elections, including the mechanical or electronic tabulation of results as provided by current New York State law.
4. We encourage fair and equitable treatment of all New York counties in issues concerning state funding, trade representation, and all other agricultural issues with exceptions being made only to those in disaster situations.
5. We recommend that closely held corporations that are not publicly traded should be allowed to bring suit in small claims court.
6. We support the right to recite the Pledge of Allegiance.
7. Whereas civil litigation is time consuming, be it resolved that we support legislation to eliminate the 90-day municipality litigation time frame.
8. We recommend that appropriate systems be developed to help victims of identity theft receive restitution and that penalties for the crime of identity theft be increased significantly.
9. We oppose the sale of the upstate land telephone lines by Verizon as it puts the rural population of New York at risk of being underserved.
10. We support New York State securing high-speed broadband and quali-

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- ty cell phone coverage for all rural areas.
11. We support individuals or community groups being eligible to apply for grants to install high-speed broadband to areas where broadband is not available.
  12. We support that the loss of an agricultural working dog should be considered similar to the loss of livestock or crops for the purpose of compensation resulting from criminal injury by a third party.
  13. We urge the State of New York to extend access to discounted snowmobile registration fees, as are currently available to snowmobile club members, to all landowners who provide access to official club trails.
  14. We recommend amending Section 61-part d of the New York Cooperative Corporations Law by deleting the words “shall represent primarily the interest of the general public in such corporation.”
  15. We oppose information, such as social security numbers and dates of birth, being made publicly available. We strongly encourage their immediate removal of this information from all publicly accessible databases.
  16. We support the inclusion of agricultural businesses within the minority and women owned business assistance programs, recognizing the historical and present value of immigrants to the farm community in beginning as employees and working into farm ownership.
  17. We support the elimination of the asset test, so that farmers can apply and qualify for food stamp benefits if net farm income falls within the existing federal criteria.
  18. Where appropriate, we support a portion of municipal or public park or other owned public space be devoted for the use of community gardens.
  19. We support the reinstatement of funding for the Agricultural On-Farm Capital matching grant funding through the Consolidated Funding Application.
  20. We encourage New York State to expand the number of hospitals and doctors offering coverage in the health plans offered through the new health benefit exchange.
  21. We support responsible agricultural redevelopment of the former Monterey Shock Incarceration Facility.
  22. We support the farmer veteran organizations and support programs that encourage veterans’ involvement in agriculture.
  23. We support modification by the state of the contracts at all regional New York Offices of General Services warehouses to include distribution of New York farm products through farmer-aggregators.
  24. We recommend the seasonal party barns, greenhouses, etc., be exempt from the New York State Fire Code that requires sprinkler systems.
  25. We support the creation of an Agri-Ability program in New York State.
  26. We support municipalities being held to the same standards of Property Maintenance Code as individual property owners.
  27. We support requiring agency inspectors to follow and respect biosecurity standards and protocols on farms.
  28. We support the continued use of locally elected, non-lawyer magistrate judges.
  29. Farm Bureau welcomes all members without regard to gender, race,

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- religion, or sexual orientation.
30. We support the development of clear rules of compliance by the Department of Justice for the Americans with Disabilities Act Title III (ADA). Furthermore, a grace period for implementation is necessary once these rules have been established. We support New York State passing law to address frivolous lawsuits without compromising the underlining goal of the ADA.
  31. We support raffles that include firearms as prizes.
  32. We oppose the use of pictometry (either manned or unmanned aircraft) to be used by towns as an alternative to physical inspection of a property when access has been denied by a property owner.
  33. We oppose any regulation that eliminates sport shooting in schools and by youth programs such as 4-H or Scouts.
  34. We encourage increasing accessibility and availability of rural daycare centers.
  35. We support the repeal of New York State Legislation Chapter 371 of the Laws of New York, 2022, Concealed Carry Improvement Act, because of the undue burden it places on farmers and landowners.
  36. Farm assets, such as tractors and farm machinery, should be allowed to be transferred to designated beneficiaries upon death of the owner.

### RURAL HEALTH CARE

#### **POLICIES:**

1. We recommend supporting the Cornell University Agricultural Health and Safety program to complement FARMEDIC and the New York Center for Agricultural Medicine and Health at Bassett Health Care. Information resulting from research at these locations should be distributed widely.
2. We support efforts to recruit and retain quality medical professionals in rural areas, such as the Rural Medical Education Program.
3. We support the New York State Rural Health and Safety Council.
4. We oppose a compulsory state health insurance program.
5. We recommend full funding for the agriculture state health nurse full-time positions because they are available resources for farm safety and health.
6. We support changing the Community Rating Law to require health insurers to continue coverage on self-employed/older citizens on health insurance.
7. We recommend that when setting income-based premiums, health insurance companies should not count depreciation as a component of gross income.
8. We recommend that all levels of government support local and rural hospitals to provide healthcare and emergency services to our agricultural families.
9. We support an effort to lower the health insurance costs to our members, such as Association Health Plans that would allow small business owners to band together across state lines to purchase health insur-

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- ance as part of a large group (such as Farm Bureau), thus ensuring greater bargaining power, lower administrative costs, and freedom from costly state insurance mandates.
10. We support continued state funding of the Child Health Plus program and recommend that the application process be simplified.
  11. We oppose efforts to establish a minimum income standard for eligibility for sole proprietor health insurance.
  12. We support that there should be minimal government intervention in the decisions of individuals and their health care provider(s).
  13. We support the network of Community Health Care Centers, which provide a safety net for our rural communities.
  14. We support an effort to lower the health insurance costs to our members with:
    - a. Non-discriminatory health insurance rates for self-employed business owners; and
    - b. Lower prescription drug coverage cost, affecting overall insurance rates.
  15. We oppose the closing of any Veterans Administration hospitals.
  16. We support the removal of the state surcharge on hospital charges.
  17. We support allowing doctors to treat patients with specialized therapies for Lyme disease without facing disciplinary action by the New York State Board of Professional Medical Conduct.
  18. We support New York restructuring the optional components of its Medicaid Program so that its costs are comparable to other states and so that the local share of the Medicaid program does not place a disproportionate burden on rural counties, farmers and forest owners.
  19. We support mandating that health insurance companies cover tick-borne illnesses and treatments.
  20. We support state funding to develop a Lyme disease vaccine and improved Lyme tests.
  21. We support research and education related to tick-borne diseases.
  22. We support passage of the New York State Community Midwifery legislation which would provide licensure for the community-based, nationally-certified Certified Professional Midwife, to provide increased access to safe out-of-hospital maternity care in all communities across New York State.
  23. We advocate for the state to require greater transparency into medical care costs from insurance companies so that farms and agricultural businesses can do a more effective job shopping around for good health care for their employees.

### RURAL LAW ENFORCEMENT

#### **POLICIES:**

1. We encourage the New York State Police Academy and other municipal law enforcement training centers to include training in agricultural crimes/law, animal care/welfare, livestock/machinery/fertilizer theft, highway safety issues and vandalism.
2. We recommend that law enforcement officials be more effectively

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trained on agricultural-related laws including, but not limited to, motor vehicle rules and regulations.

3. We strongly request local and state government law enforcement officers aggressively enforce existing rules and regulations pertaining to the damage and destruction of private property and trespassing with the use of vehicle.
4. We recommend that perpetrators stealing anhydrous ammonia from farm tanks be subject to the most severe legal consequences for each and every infraction.
5. We recommend that penalties be increased for individuals who steal agricultural products to help provide a greater deterrent to such thefts.
6. We support a mechanism that would penalize anyone who maliciously obstructs farm operations and compensates for the farmer's lost production and time.
7. We support funding law enforcement to continue to protect our rural communities.

## STATE CONSTITUTION

### **POLICIES:**

1. We oppose a constitutional amendment establishing an initiative and referendum procedure in New York State.
2. We support legislation making English the official language of New York State and the United States.
3. We strongly support term limits for elected local and state government officials.
4. We oppose a Constitutional Convention.
5. We propose that New York State reinstate the practice of letting the electors from each congressional district vote for the candidate receiving the majority of votes on the ballot in that district, rather than the winner-takes-all approach in order to reestablish the balance between populous and less populous voting factions.

## EXECUTIVE BRANCH

### **POLICIES:**

1. We support legislation that will require exploration of all available alternatives before property is temporarily appropriated in an emergency situation.
2. We recommend that New York State agencies purchase products grown or manufactured in New York whenever possible.
3. We recommend strict enforcement of the New York State Administrative Procedures Act which requires state agencies to provide an economic impact analysis for any proposed rules or regulations which would affect small businesses.
4. We recommend that all governmental agencies consider the demographics of the majority impacted by a proposed change in regulation, when planning the locations of public hearings.
5. We encourage the executive branch to appoint more agribusiness personnel to serve on state and local committees, such as economic develop-

- ment, industrial development agencies and tourism boards.
6. We recommend that all state agencies use a single and consistent definition of agriculture when referring to our industry.
  7. We recommend that the governmental agency that finds fault with project implementation must first deal with the permit-issuing agency and mitigate policy discrepancies that lead to this conflict.
  8. We recommend that all government agencies work to preserve farmers market locations and work to open other locations.
  9. We recommend that rules and regulations reflect the intent of the legislation as drafted by legislators.
  10. Since many of our New York farmers are self-employed and operate sole proprietorships, we support providing New York's self-employed the same economic incentives and benefits as are offered to large employers through state-run programs.
  11. We recommend that the social security number should not be required to be on a driver's license and not be used for identification purposes.
  12. We recommend that the New York State Department of Agriculture and Markets should have the final determination of building code interpretations and application of building code regulations as they relate to agriculture.
  13. We support clarification and enforcement of the Agricultural Building Code exemption on all farm properties. The only instance where these codes are applicable is when public safety and welfare could be affected.
  14. We recommend that farm operations be exempt from the International Property Maintenance and Fire Safety code as adopted by New York State.
  15. We oppose state-required inspections for all non-residential occupancies for fire safety and property maintenance.
  16. We insist that agricultural representation from the New York State Department of Agriculture and Markets or other agricultural interests should be a part of any and all interagency work groups, task forces, or executive order established cabinet level groups that relate to water, air, land use, food and nutrition, or other agricultural, economic development or environment issue-based committees.
  17. We propose that all regulatory agencies be assistance-oriented first before revenue-oriented.
  18. All of New York State government, including legislators, related agencies and entities should serve New York products at any sponsored function when the products are available.
  19. We support business owners and the regulated community having formal opportunities for direct participation in the development of proposed agency regulations through negotiated rule making.
  20. We support an exemption for buildings used for retail or agritourism with an occupancy less than 50 from the New York State Building, Fire, and Energy Code as long as adequate marked exits and smoke/fire detectors are provided.
  21. We support the consolidation of municipalities/governments where appropriate.
  22. We support a restriction in the New York State Building Codes that would prohibit new housing construction within a farmer's Application Exclusion Zone (100 feet) that crosses over onto any adjacent properties where setbacks are not applicable, present or inadequate.

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23. We oppose any changes to, or the adoption of, the proposed New York Uniform Building Code that would have a negative impact on the current agricultural exemptions or agricultural definitions..
24. We oppose any proposed changes from the Lake Ontario Resiliency and Economic Development Initiative Commission to local building codes for structures on or near Lake Ontario that would raise the elevation higher than current requirements.
25. We support state agencies providing guidance on regulations before they take effect.
26. State agriculture lending and granting priorities should include those inheriting family farms as well as particular groups such as, but not limited to, veterans, young farmers and members of the Black, Indigenous, People of Color (BIPOC) community.

### **STATE LEGISLATURE**

As the lawmaking body in state government, the activities of the legislature are an area of concern for all farmers and rural residents in the state. Farm Bureau will continue to insist that the state legislature conduct itself in a way that is ethical, democratic and representative of the people of New York State.

#### **POLICIES:**

1. We strongly recommend that the state legislature review and revise the procedures of the state regulatory agencies to insure that there is no conflict between the permitting and regulatory enforcement activities within a state agency.
2. We support efforts to keep state and federal agencies within their bounds dictated by law and limit disproportionate fees and penalties.
3. We recommend that any proposed legislation contain an economic impact analysis, including the effects on small business/agriculture, as part of the bill introduction material providing justification for the proposed legislation.
4. We support the state legislature reversing its present policy, so that Electoral College electors are required to be elected by Congressional district and vote for the candidates to which they were pledged.
5. We recommend that New York State emergency executive powers be subject to legislative renewal every 30 days.
6. We support New York State permanently allowing the use of digital communications in the open meetings law.

### **STATE GOVERNMENTAL ACCOUNTABILITY AND REFORM**

The challenging legislative environment in New York can create negative repercussions for all citizens of New York, and particularly the business community. We need our elected officials to act objectively, without undue influence from an unworkable campaign financing system, so negative public policy choices



are not made that will harm the future success of our farms and small businesses. To that end, the following structural problems in Albany should be addressed.

### **POLICIES:**

1. We recommend that public sector employee unions not be allowed to make campaign contributions to the same elected officials who are ultimately accountable for the performance of public sector employees and their compensation.
2. We recommend that stricter contribution limits for “housekeeping” contributions to political parties should be adopted and enforced, and fundraisers in Albany should be limited to the first three months of the legislative session.
3. We suggest all bonding be publicly transparent through the state budget process and included as part of the state’s fiscal analysis.
4. We recommend that the State Comptroller should be responsible for developing a consensus-based revenue figure to be utilized by the state legislature and governor in budget negotiations.
5. We recommend that the authority of the legislature to amend the governor’s Executive Budget proposal should be clarified and expanded to allow for more equitable negotiations between all three parties.
6. We believe that joint public hearings should continue to be held on the budget by the state legislature, thereby giving the public the opportunity to comment on the governor’s Executive Budget proposals.
7. We recommend that public legislative conference committees be utilized to aid and assist in public transparency in the budget process.
8. We support small businesses having the right to request judicial review of agency compliance with rulemaking procedures.
9. A person or entities seeking bids for state contracts should be limited to \$400 in campaign contributions. If a larger contribution is given within a two-year period, the entire amount must be refunded.

### **STATE FISCAL AND MONETARY POLICY**

The Empire State’s agricultural industry is supportive of the many essential functions performed by government, but remains concerned about ongoing pressures for growth in state spending. Long-term economic health for New York State can only be achieved through significant cuts in overall spending rates. Farm Bureau strongly recommends that state legislators employ a spending plan that is within our fiscal means rather than raising additional revenues to balance the budget. With the adoption of this proven pattern, a truly favorable economic environment within New York State will occur.

### **General Fiscal Policies**

### **POLICIES:**

1. We believe that the state budget must be balanced without increasing or creating new taxes, surcharges or fees. Specifically, spending cuts must be targeted to service providers of formula-driven programs such

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- as Medicaid and public assistance, which costs have increased far in excess of the inflation rate.
2. We oppose the practice of financing state regulatory and enforcement agencies by imposing licensing fees, permits, fines, and penalties on businesses and individuals.
  3. To help reduce the total tax burden, we support user fees, at the point of service rendered, for any government service possible, except those that benefit the general public. However, user fees should not be allowed to exceed the cost of program operations.
  4. We recommend that the State of New York reduce and, wherever possible, eliminate all surcharges, fees, and hidden taxes, such as surcharges on public water supplies, electric, gas and telephone utilities.
  5. We recommend state government review and revise current fiscal and regulatory policy to hold and attract businesses and industry to the state.
  6. We recommend that pay and benefit increases for public officials and employees should be limited to levels that correspond to increases in performance.
  7. We recommend that the state legislative and executive government branches reduce their office operating budgets.
  8. We are opposed to a personal property tax.
  9. We recommend that new or reauthorized government programs require a life-cost budget, which identifies the source of revenue.
  10. We are opposed to the use of the dedicated transportation fund monies for projects other than the repair and construction of our state's roads and bridges.
  11. We support that the state should not balance the budget by reducing revenue sharing and that revenue sharing funds should be distributed equitably across the state.
  12. We oppose back door borrowing by public authorities of the state.
  13. We oppose the construction or reconstruction of new or existing sports facilities for professional sports with New York State tax money.
  14. We support the privatization of state-owned facilities wherever appropriate. We oppose privatization of state highways or the New York State Lottery.
  15. When practical and economical, we recommend that when the state conducts business with private enterprises, it do so with New York State businesses which are liable for New York State taxes.
  16. We oppose assessing taxes and fees on businesses using minimum employee numbers as a threshold, which discourages entrepreneurs from starting businesses.
  17. We recommend that lien holders be required to remove all Uniform Commercial Codes (UCC) filings when the lien is satisfied.
  18. We recommend that employee contributions to the state retirement fund be increased and continue beyond the current ten years.
  19. We recommend public pension funds be structured like private sector investment retirement plans.
  20. We support the timely release of state government funds to meet their contractual commitments.
  21. We support giving a tax credit or lowering the capital gains tax for any

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- retiring farmer who sells their livestock herd, production equipment, or farm to a family member or beginning farmer.
22. We oppose the practice of sweeping any dedicated funds into the state general fund.
  23. We oppose the current annual fee for limited liability corporations being based on gross income and instead recommend a maximum fee of \$25 per limited liability corporation member.
  24. We oppose regulatory agencies instituting disproportionate fees and penalties.
  25. We recommend that New York State remove the surcharges levied for not electronically filing any required paperwork.
  26. We require that all New York State agencies that propose either changes to existing rules or propose new rules first be required to file an economic impact statement during the rule making process.
  27. We support school increasing the limit for districts to purchase local food with discretionary monies without a waiver from \$25,000 to \$150,000.
  28. We support the repeal of the New York State Motor Vehicle Law Enforcement fee on auto insurance.
  29. We oppose the creation of a sole-payer health care plan and the outlaw of private health insurance coverage in New York.
  30. We oppose New York State instituting a Universal Basic Income.

### State Bonding Recommendations

#### POLICIES:

1. We recommend that bond issues should only be for specific capital investments, not used for operating or maintenance expenses.
2. We believe that bond issues should be presented to the voters as individual components, each judged on its own merits.
3. We are opposed to the use of state employees and state funds to promote bond issues or any other state proposition. The present state law prohibiting such activity should be strictly enforced. We are opposed to the expenditure of state monies in anticipation of the passage of such issues.

### Budget Process Recommendations

#### POLICIES:

1. We recommend the budget development process be open to all state legislators and the general public. If a state budget is not passed by April 1, then the previous fiscal year's budget should be automatically reinstated.
2. We recommend the use of generally accepted accounting principles when formulating the state budget.
3. We believe that all state agencies should employ zero based budgeting to effectively reevaluate their programs.
4. We oppose the use of messages of necessity for the passage of budget bills.
5. The state should pay interest charges and address all negative impacts

- incurred by any public entity resulting from a late state budget.
6. We oppose enacting legislation by suing the state budget to do so. Furthermore, we support the budget being voted on as a standalone proposition.

## Tax Code Recommendations

### POLICIES:

1. A refundable investment tax credit should be developed for farmers where expenses on Section 179 forms are eligible.
2. We believe that the sale of agricultural land should be exempt from capital gains tax provided the proceeds of the gain, or portion thereof, are reinvested in agricultural land. The capital gains tax treatment would be similar to tax treatment afforded involuntary sales of land such as eminent domain condemnations.
3. We support a reduced New York State capital gains tax.
4. We support an agricultural exemption from the real estate transfer tax.
5. We recommend the state adoption of the current federal tax law, which allows for the expensing of certain capital assets placed in service during a tax year.
6. We support elimination of the State Gross Receipts Tax.
7. We support repeal of state withholding taxes for employees earning less than \$10,000 per annum as this is an unnecessary burden on the employer as well as the employee.
8. We recommend that the deductions of health insurance and disability insurance premiums paid by farmers for their families and small businesses be fully deductible from their income tax as a business expense.
9. We support enactment of a two-thirds majority rule for legislation that increases or enacts new taxes.
10. We support modification to state tax law to minimize the effects of the one-time event initiated by the voluntary or involuntary permanent exiting the business by spreading the economic activity over several tax years.
11. We recommend that levied taxes be used for their originally intended purposes only.
12. We support an amendment to change the New York State Tax Law to recognize the breeding and production of purpose-bred animals for research, service and working animals as farming.
13. We support an annual payment of quarterly use taxes or fees if the amount owed is under \$500 per year.
14. We oppose the passage of the so-called "fat-tax," which would place a tax on non-diet sodas and sugary drinks.
15. We support repealing the utilities assessment tax.
16. We recommend that penalties imposed by the New York State Department of Taxation and Finance for late or improperly filed taxes, be scaled to be a percentage of the payment due.

## TRANSPORTATION AND MOTOR VEHICLE CONCERNS

Transportation problems facing New York are of continuing importance and concern to farmers. The level of highway use taxes, repair and maintenance of the present system and safety are but a few of the concerns farmers maintain. It is also important for the state to continue to recognize the unique characteristics of agriculture when dealing with transportation issues.

### **Farm Vehicles and Equipment**

#### **POLICIES:**

1. We recommend that farm-plated vehicles should be exempt from the New York State Department of Transportation regulations as long as they meet minimal New York State Department of Motor Vehicles safety requirements and stay within a 50-mile radius of the farm.
2. We recommend that implements of husbandry be exempted from licensing as long as the implement of husbandry is being pulled by a farm, agricultural or commercial-plated vehicle. We support including anhydrous ammonia tanks into the definition of an agricultural commodity implement.
3. We recommend that trucks used in agricultural operations with fuel capacities under 250 gallons should be exempt from having to display fuel hazard stickers.
4. We recommend making a partial year agricultural registration for all trucks.
5. We recommend that vehicles operated not for hire under 10,000 lbs. gross vehicle weight have access to all state parkways.
6. We recommend that no vehicle should be subject to New York State Department of Transportation and New York State Police inspections more often than once in 30 days.
7. We recommend that "except for local delivery" should be added to weight limit signs where the use by farm vehicles does not pose a hazard. In addition, we support the expansion of the current legal definition to include access when there is no other route to the destination.
8. We oppose mandatory farm equipment emission controls.
9. We oppose any legislation requiring a higher level of driver's license than is currently in effect with regard to driving a pickup and trailer.
10. We recommend the elimination of any mileage limitation for farm endorsements on Commercial Driver's Licenses (CDL).
11. We support the Farm Plate Law and recommend working toward getting all state agencies to consistently enforce the Farm Plate Law.
12. We believe that more complete and accurate information should be available concerning agricultural and farm vehicle registration.
13. We recommend that farmers have the right to move farm equipment on public roadways without being cited for impeding traffic.
14. We strongly support an increased effort by the New York State Department of Motor Vehicles to educate drivers on the meaning and use of the slow moving vehicle sign. Emphasis should be placed on the lawful use of the slow moving vehicle sign and the hazards related to slow

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- moving farm equipment and horse riders and buggies.
15. We recommend that the manufacturer of slow moving vehicle signs be made to place a use definition sticker on the sign and that any store that sells slow moving vehicle signs post the regulations on the proper sign use above the display area.
  16. We recommend that anyone who uses slow moving vehicle signs on a stationary object be made to remove the sign and pay a fine of at least \$250.
  17. We support a more uniform interpretation between Vehicle and Traffic Law and New York State Department of Transportation regulations for agricultural vehicles and farm equipment.
  18. We support upgrading present state standards for truck axle weights.
  19. We support changes to the Farm Plate Law that would allow farm-plated trucks to be used for the CDL road test.
  20. We recommend:
    - a. That mileage limits be raised or eliminated to meet the changing agricultural needs;
    - b. That time-of-day limitations be amended to allow custom harvesters and farmers to continue nighttime work and moving of equipment and produce during lighter traffic hours through urban areas with adequate lighting and approved widths; and
    - c. That limitations on weather conditions and day of the week be amended to allow continued work to complete harvesting.
  21. We recommend keeping the dollar license plate for farm trucks.
  22. We recommend that agricultural/commercial-plated vehicles be exempt from the New York State Department of Transportation regulations since they already must comply with the New York State Department of Motor Vehicles inspection laws.
  23. We oppose overturning the exemption agriculture currently receives regarding placarding farm vehicles that carry chemicals and fertilizers less than one ton from farm to farm, or warehouse to farm.
  24. We support legislation allowing farm-plated vehicles to be insured as part of a general farm liability insurance policy.
  25. We support amending state transportation law to allow agricultural-plated vehicles to transport everything related to the farm operation including all waste materials generated on that farm.
  26. We support a reciprocal licensing agreement between New York, adjoining states, and Canadian provinces recognizing agricultural license plates as a legal registration.
  27. We recommend that towed agricultural commodity implements should be allowed to travel further than a 50-mile radius from the farm.
  28. We support exempting self-propelled agricultural equipment from the Highway Use Tax New York State Inspection, and any New York State Department of Motor Vehicles registration other than as special commercial. Such equipment would include farmer or commercial agricultural equipment to include but not be limited to sprayers, spreader trucks, and other single purpose applicators. Exempted equipment would include equipment owned or leased by a farmer or retail agricultural applicator and used on agricultural land for production. In the event the owner chooses to register as a special-commercial, the

- implement would still be exempt from Highway Use Tax.
29. We support a reduction in the title fee to \$15.
  30. We support allowing agricultural equipment to be governed by the same regulations governing bulk agricultural commodity implements, provided that they adhere to the Slow Moving Vehicle Law.
  31. We support raising the gross vehicle weight rating limit for hauling bulk agricultural commodity implements to 50,000 pounds.
  32. We support a change in the Vehicle and Traffic Law from “tractors used exclusively for agricultural purposes” to “tractors and self-propelled equipment used predominantly for agricultural purposes.”
  33. We support that agricultural equipment, such as sprayers, being transported with an over-width permit should be allowed to operate on weekends and holidays.
  34. We support the right to operate farm equipment on roads on weekends.
  35. We oppose using Blue Cards with all roads listed for travel on farm-plated vehicles.
  36. We recommend that New York State Department of Motor Vehicle law subdivision D be amended and shall not be applied to farm vehicles or implements, or a combination thereof exceeding 17 feet in width used solely for farm purposes that have warning lights, over width sign, flags, two flashing lights, and escorts. The width shall not exceed 27 feet. This shall also apply to farm equipment dealers.
  37. We support amending the New York State Department of Motor Vehicles Law to allow two implements to be towed in tandem by a tractor.
  38. We support a change to New York State Department of Transportation Law that agricultural equipment dealers be allowed to transport equipment at the same dimensions as farmers (17 feet width, 13' 6" height) with the proper permitting and escorts.
  39. Farmers should be exempt from the proposed federal tri-axle upgrade requirement.
  40. We support changes to the Farm Plate Law that would allow aquaculture to be considered an acceptable agricultural use.
  41. We support greater emphasis on farm safety, including:
    - a. Public Service Announcements on radio and the internet;
    - b. On-site training of farmers for use of dangerous equipment at the time of equipment purchase; and
    - c. Emphasis on operating of and sharing the road with slow moving vehicles and horses and buggies in the New York State driver training and/or New York State Department of Education curriculum.
  42. We support New York State Department of Transportation inspections of farm-plated trucks being limited to real safety items, such as brakes, signal lights and brake lights. Items that do not affect overall vehicle safety, such as windshield washer fluid, lights on license plates, etc., should not be subject to inspection.
  43. If license plate replacement becomes mandatory, the new plates should be free and you should be allowed to keep your current license plate number.
  44. We strongly support the creation of a statewide campaign to educate the public about agricultural vehicular laws and respect for safe agricultural travel.

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45. We support semi-trailers (over the road tractors) being able to register as agricultural vehicles.
46. We support grandfathering in signage requirements for slow moving vehicles for machinery manufactured before 2018.
47. We support excluding towed implements from Speed Indication Symbols (SIS) signage requirements.
48. We support the continued manufacturing of internal combustion engines for agricultural equipment.
49. We support the continued use of internal combustion engine agricultural equipment.
50. We support a temporary pause in the enforcement of the slow moving vehicle law until the New York State Department of Motor Vehicles is prepared to distribute the SIS sticker.
51. We support state and federal legislation that would require equipment manufacturers to provide the necessary information to access systems that would allow for the diagnosis and repair of farm equipment.
52. We support the definition of agriculture and farm vehicles to include the transport of aquaculture products, including fish, fish products, water plants, and shellfish.
53. We support all implements of husbandry, as defined by other states, be treated as agricultural equipment in New York State.
54. We support the New York State Department of Motor Vehicles Commissioner amending language on all publications that limits covered farm vehicles weighing more than 26,000 pounds to operate 'within New York State and within 150 air miles of the farm or ranch,' contradicting the Code of Federal Regulations and New York State Vehicle and Transportation Law allowing covered farm vehicles to travel within New York State or 150 air miles of the farm or ranch.
55. We support a limit on how many times commercial vehicles have to stop at a DOT inspection checkpoint in a certain time period, especially if that vehicle is carrying livestock, fish, bees or other perishable commodities.
56. We support an exemption from CDL for farm owners and employees hauling farm equipment or produce within 150 miles of a farm without an F or G endorsement, similar to exemptions in other states.
57. We support funding initiatives to offset the cost of obtaining a CDL license for agricultural workforce and support systems.
58. We support that any vehicle used for agriculture, including SUV vehicles and cars used for farm markets and deliveries, should be allowed to have agriculture plates.

### Motor Vehicles and Highway Safety

#### POLICIES:

1. We recommend banning roadside flares with spikes as they pose a potential hazard to tires and pedestrians.
2. To make roads safe and accident free, highway departments need to consider the vantage point of the operator of larger agricultural equipment. Therefore, we recommend that state, county and town highway



departments:

- a. Should ensure that all roadways and sides of roadways are cleared of all obstructions.
  - b. That low shoulders are built level with the road.
  - c. That intersection markings, road signs, brush and trees not obstruct vision, and are limbed to a height of 15 feet.
  - d. That lanes be widened in strategic locations to enable safer passing of equipment.
3. We support increased fines for at-fault automotive drivers involved in accidents with tractors and other farm implements, and drivers should be liable for damage done to livestock.
  4. We recommend that the New York State Department of Motor Vehicles require all vehicles to stop and yield the right-of-way to livestock and any agricultural workers walking or crossing livestock on any road or highway. Failure to abide by this requirement should lead to fines and/or penalties.
  5. We recommend that the New York State Department of Transportation begin an information outreach program to notify motorists and law enforcement agencies of new motor vehicle regulations enacted at the state and federal levels and in Canada.
  6. We oppose the adoption of California Emission Standards in New York State.
  7. As differing state commercial motor vehicle regulations act to restrain trade and productivity, we recommend that all New York State Department of Transportation regulations be uniform with federal regulations on federal highways, including increasing the threshold for the requirement of Department of Transportation numbers from 10,000 to 26,000 lbs.
  8. We recommend that any New York State inspected commercial agricultural vehicle should be entitled to an educational inspection.
  9. We recommend that violations on farm trucks receive no greater fines than an automobile.
  10. We recommend that the New York State Department of Transportation and the New York State Department of Motor Vehicles issue a single comprehensive guide for the transport of farm vehicles and machinery on public highways.
  11. We support the exemption of agricultural equipment dealers from the certified escort law.
  12. We recommend allowing hay and straw trucks up to 10' in width on all highways.
  13. We believe that roadside Commercial Vehicle Inspections should only be performed by certified New York State Department of Transportation inspectors.
  14. We recommend that agricultural antique motors and motorized equipment be exempt from all emissions standards.
  15. We support modification to existing motor vehicle law regarding 10,000-pound limit for trailers under standard licenses that graduates the trailer load in proportion to the truck size.
  16. We support increasing vehicle dimensions to 75 ft. in length and 102 inches in width.

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17. We support funding an addition to drivers' education courses and a Public Service Announcement program to deal with farm machinery in traffic, Slow Moving Vehicle Laws, and livestock crossing public highways.
18. We recommend that, as it is currently illegal to be parked over the fog line, New York State should change the law to exempt agricultural businesses from violations where it has been determined by the New York State Department of Transportation that the practice can be safely conducted in specific areas.
19. We recommend that agricultural operations should not be required to pay the Unified Motor Carrier Fee.
20. We support exempting vehicles registered with agricultural or farm plates under 26,000 pounds from commercial motor vehicle regulations.
21. We oppose additional vehicle registration fees.
22. We support increases in the length of straight trucks from 40 feet to 45 feet in New York State.
23. We support allowing an exemption for 53-foot trailers operating on roads not currently listed as either a Qualifying Highway, a National Network Highway, or an Access Highway in New York State, provided that using the unapproved road is the shortest, most efficient route for the truck operator.
24. We support allowing the use of the Taconic State Parkway north of I-84 by four-wheel vehicles up to 12,000 gross vehicle weight for agricultural-plated vehicles.
25. We recommend that the New York State Department of Transportation must be required to notify owners of commercial vehicles, agricultural and farm plated trucks and trailers when laws are changed that affect their legality.
26. We support a New York State Department of Transportation program for local trucks to bypass inspections if the truck has been inspected in the last 90 days.
27. We recommend the New York State Department of Motor Vehicles honor international CDL licenses.
28. We oppose any state law that mandates only zero emission vehicles being sold in New York State.
29. We support legislation to amend the Vehicle and Traffic Law and the Insurance Law in relation to increasing the minimum insurance coverage required for motor vehicles registered and/or operated within the state of New York.

### Roads and Bridges

#### POLICIES:

1. We support a dedicated highway trust fund to receive highway user taxes and revenues. The proceeds of such a fund should be used exclusively for highways and bridges. This trust fund should receive sales tax revenues from motor vehicle fuels and moneys from vehicle licenses and registrations.
2. We recommend that rural areas be guaranteed their fair share of dedi-

- cated highway funds and federal highway funds.
3. We recommend that priority be given to the repair and reopening of bridges when more than one bridge has been closed in a local area. When local bridges are closed, emergency access should be provided. We recommend that roads and bridges be repaired in a timely manner to enhance fuel and time efficiency.
  4. We recommend that temporary bridges be built wide enough to accommodate modern agricultural equipment.
  5. We recommend that all highway departments should provide landowners at least two weeks' advance notification, through local media sources, of any major road closing, repairing or rebuilding.
  6. We support the establishment of a state class of minimum maintenance roads and all other roads and bridges should be upgraded to support modern agricultural equipment. Minimum maintenance roads should consider access to agricultural lands.
  7. We support legislative advisory groups, established on a regional basis, to consult with the New York State Department of Transportation officials to improve maintenance, repair and reconstruction of rural highways.
  8. We support that railroads should maintain their bridges, ditches, crossings and fences, as per their agreements.
  9. We recommend using less salt on roads. The property and environmental damage due to the use of salt justifies further research into alternative de-icers.
  10. We recommend subcontracting of all road building work and maintenance where economically beneficial to the taxpayer.
  11. We support the proper maintenance of drainage ditches along roads, without interfering with farm field access, by state and local highway departments.
  12. We oppose highway and bridge tolls on highways that connect branches of the Interstate Highway System until a dedicated maintenance fund is in place.
  13. We recommend that when a municipal drainage project is performed to improve road drainage culverts, ditches and tiles should be lowered beneath the level of the old culvert being replaced. This will allow tiles and ditches that drain farmland to be improved.
  14. We recommend to the state highway maintenance crews that roadside mowing be done fence-line-to-fence-line and ditches be graded for more efficient roadside maintenance, with the exception of pollinator strips.
  15. We recommend that the state raise the priority of road improvement to meet the requirements of a modern-day transportation system and agricultural operation. We support increasing weight on state, county and town roads and installing pull-offs to reflect the heavier and larger agricultural equipment currently being manufactured. Additional costs should be reflected by increased state funding such as in the Consolidated Highway Improvement Program (CHIPs).
  16. We encourage the use of local mulch hay or straw for erosion control on roadside and construction projects.
  17. We oppose construction of a Route 63 bypass and support the use of existing interstate infrastructure and encourage this through: Reducing Thruway tolls, installing lower truck weight limits and road scales on

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- Route 63, policing Route 63 to ticket speeders, and overweight vehicles, etc.
18. We recommend that any municipality, including counties, towns and villages, that receives CHIPs funds should allow legally licensed and permitted heavy trucks to travel their roads and bridges rated to handle such loads.
  19. We support and encourage New York State and the Canal Corporation to maintain the Erie Canal Bridge System and request the development of a strategic plan for maintaining and repairing these bridges.
  20. We support maintaining Ball Creek in its original channel to prevent currently eroding bridge supports on the Stow side of the Chautauqua Lake Bridge and to minimize sedimentation and erosion.
  21. We oppose the proposed development and construction of a bypass from the New York State Thruway through Montgomery County agricultural lands to Fulton County.
  22. We support only placing weight restrictions on roads and bridges when an engineer deems it necessary due to conditions.
  23. We encourage all highway guardrail construction to be as close to the outer edge of the shoulder as possible, thus allowing for the maximum shoulder in order to create safe travel for larger farm equipment.
  24. We support funding of the road improvement project by the New York State Department of Transportation on State Route 16 in the towns of Farmersville and Franklinville that will provide a turning lane at the Great Lakes Cheese facility which is presently being constructed.
  25. We support that the New York State Department of Transportation and all county and town highway departments must take into consideration modern agricultural equipment operations and safety when performing any permanent or temporary road, bridge, culvert or intersection maintenance, upgrades or redesigns.
  26. We support streamlining the permitting process and exempt producers from fees for all agricultural-related pipes installed within the state highway right of way.

## Miscellaneous Transportation Issues

### POLICIES:

1. We oppose any increase in tolls on the New York State Thruway.
2. We recommend allowing the seasonal placement of signs, including "off premises" signs, on the state rights-of-way directing motorists to points of sale of agricultural products.
3. We recommend for All-Terrain Vehicles (ATV) and off-road motorcycle issues:
  - a. Owners, operators, and/or parents of operators should be held financially responsible for quadruple damages caused to crops and property from such vehicles.
  - b. There must be enforcement of registration and insurance laws enacted for ATV use.
  - c. The ATV must display a license plate with 3-inch letters.
  - d. We support a requirement that ATV and other off-road vehicle buyers be informed of trespassing laws and private

property rights as part of the required safety course.

4. We recommend that the Thruway Authority not have any regulatory power that applies to canal land that they do not own.
5. We recommend that vehicles should not be required to stop at a railroad crossing that has been inactive for the two preceding years and that the railroad has no intention of using again. Further, rails should be pulled or paved over at these inactive crossings.
6. We oppose efforts to increase liability policy rates of owners of pickup trucks and SUVs.
7. We support Scenic Byway initiatives provided that current language is changed so that the local autonomy of communities is preserved. A scenic byway must not affect private property rights and a Farm Bureau member must be appointed to the implementation body.
8. We recommend that the New York State Department of Transportation do a detailed study of State Route 8 from Deposit to Utica, and furthermore, from this study they develop a plan which should include widening of the shoulders and driving lanes, straightening of several sharp curves, improvement of bridges and culverts, and signaling of several blind intersections, to enhance the safety and the development of the area.
9. We recommend the issuance of a new license category for operation of pick-up truck fifth-wheel combination vehicles.
10. We recommend the use of state and county-owned land for any proposed extension of highway routes.
11. We demand representation of the agricultural community on all regional metropolitan transportation committees.
12. In an effort to reduce fuel consumption, road maintenance and lower the cost of shipping agricultural products and supplies, we support expansion, improvement and technological advancement of the railroad system.
13. We recommend a portion of the newly-increased registration fees of off-road recreational motor vehicles should be set aside to reimburse property owners for land and farm damage.
14. We recommend that the safety of the Taconic State Parkway be improved in a manner that does not involve the closing of at-grade crossings.
15. We oppose any laws or regulations that cause any agricultural utility ATVs to be considered differently than any other tractors or unlicensed farm slow moving vehicles.
16. We recommend that all ATV operators be required to obtain written permission from landowners before riding on private lands. This written permission should be on the operator's person during times of ATV operation. If it is not, we recommend a \$100 fine for the first offense and a \$200 fine for any subsequent offense.
17. We support the use of a portion of ATV registration fees to be used for the development and maintenance of ATV trails on public and private lands, as long as these trails are designed and built by a recognized trail development agency.

## NEW YORK FARM BUREAU

18. We recommend that Part 150. (A) (9) be amended to exempt farm operations in controlled areas from needing a valid permit for signage on state highways; and recommend that Part 150.13 (b)(3)(i) be amended to recognize Agricultural Districts Law that defines a farm operation as having land that is contiguous or non-contiguous; and recommend that Part 150.1 (i) be amended to clearly define that agricultural, forestry, ranching, grazing, farming and related activities are exempt from being zoned commercial.
19. We support the position of the Association of Towns of the State of New York that “home rule” should apply in regards to allowing towns in the State of New York to set speed limits on town roads versus speed limits being set by the New York State Department of Transportation.
20. We recommend horse-drawn transportation should display regulation size slow moving vehicle signs, adequate lighting and reflective materials—front, side and rear—when in use from sunset to sunrise.
21. We believe that farms that rent trucks for farm purposes should not be required to pay the highway use tax on those vehicles.
22. We recommend that New York State not restrict the travel of trucks on state highways.
23. We recommend modifying the vehicle and traffic law (§2403) so that, similar to ATVs, all motor vehicles will not be allowed to operate on private property without consent from the owner.
24. We recommend that road signs for farms should be allowed on all lands owned and operated by the farm.
25. We support New York establishing a farm-specific EZ-Pass category to allow agricultural trucks and horse and stock trailers as well as other vehicles transporting agricultural products to obtain a reduced toll-rate on the Thruway and the bridges and tunnels in metropolitan New York and that the existing for-hire charge for goose neck trailers be reduced to the equivalent of recreational vehicle tolls.
26. We recommend that New York State move forward with a high-speed rail plan. However, that plan must include economic feasibility studies and accommodations for local traffic, including farm vehicle and field access.
27. We support the repeal of the Metropolitan Transportation Authority Mobility Tax in counties outside of metro New York City.
28. We support the repeal of the Metropolitan Transportation Authority Mobility Tax on license and registration fees on newly registered vehicles and replacement license plates.
29. We believe that construction of Route 219 in Western New York should not be delayed so that further environmental studies can be done, unless such studies relate to the integrity of the finished highway.
30. We recommend that there be no registration of ATVs used exclusively for agricultural purposes.
31. We support having utility terrain vehicles fall under the New York State Department of Motor Vehicles category of ATVs.
32. We support an exemption for farmers from paying rental fees to

- New York State for pipes that are run under New York State roads.
33. We encourage and strongly support that New York State enter into aggressive negotiations with Pennsylvania to allow bulk milk haulers to use interstates.
  34. We recommend that taxes from road fuels be totally dedicated to highway improvements and maintenance.
  35. We believe New York State farmers should have the right to haul their own products regardless of the products' state of processing.
  36. We encourage New York State agencies being required to seek a recommendation from the Commissioner of Agriculture about impacts to agriculture if they are going to remove bridges, roads or other public infrastructure in or near an agricultural district.
  37. When placing restrictions designed to limit access to local roads by villages, towns and counties for vehicles or combinations of vehicles, those servicing, delivering, picking up merchandise or other property for agricultural operations shall be exempt. The municipality must provide an appropriate truck route that connects to neighboring municipalities' truck routes.
  38. We recommend that the State Power Authority not have any regulatory power that applies to canal land that they do not own.
  39. We support utility terrain vehicle use on roadways for agricultural purposes if they follow the laws of a slow moving vehicle and display a slow moving vehicle sign.
  40. We support giving the New York State Canal Corporation more leeway in removing debris that is obstructing their structures with landowner permission.
  41. We support enhanced and continuing education of vehicle and traffic laws for local law enforcement and the judiciary regarding farm vehicle use and registration policies.
  42. We support granting landowners the right of first refusal for materials from road construction or line maintenance projects within the right-of-way of the landowner, i.e., dirt from drainage work and trees from clearing.
  43. We support requiring that prior notification occur to farmers about road closures before construction begins so that they can plan work and/or alternate routes if required.
  44. We oppose training requirements for drivers applying for F or G endorsements on non- CDL Class C licenses.
  45. We support legislation supporting the transport of all perishable products (milk, livestock and vegetables) at all times (regardless of weather) or reimburse the producers for the lost revenue if trucks are halted.
  46. We support charging electric vehicles a highway tax on a per-mile basis at the vehicle's annual inspection.
  47. We support adding a highway tax to all electric vehicle charging stations.
  48. We oppose the Department of Transportation imposing fines for red tag offenses or out of service violations after the original ticket has been settled in court.

# NEW YORK FARM BUREAU

## NATIVE AMERICAN LAND CLAIMS AND TAXES

### **POLICIES:**

1. We recommend that legislation be enacted by which the state guarantees present titles in areas subject to Tribal land claims.
2. We recommend that Native American nations should pay property taxes on land which they purchase either inside or outside land claim areas. If this is not legally or politically achievable, government should reimburse school districts and local governments for tax revenues lost due to these land purchases.
3. We recommend that New York enforce the collection of all taxes on all goods and services sold to non-Native American at business operated by Native American entities.
4. We oppose the concept of "Price Parity."
5. We oppose any Tribal land being put in trust with the Bureau of Native American Affairs to avoid local, state and federal regulations.
6. We recommend that Native Americans operating a business held in fee should be required to collect and remit all taxes due on the products and services they sell and that this be enforced immediately.
7. We oppose the purchase of property not contiguous with a Native American Reservation that is then allowed to gain Nation status and removed from the tax rolls.
8. New York State should reimburse school districts and local government for tax revenues lost due to Tribal land purchases that take these properties off the tax roll.
9. In the event that Native American tribes commence legal proceedings against individual landowners or local governments because of treaty disputes, New York State should pay all attorney fees, disbursements, court fees and costs, as well as any money damages awarded to the Native American litigants.



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