

AMENDMENTS TO SENATE BILL NO. 661

Sponsor: REPRESENTATIVE CAUSER

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1 Amend Bill, page 1, line 2, by inserting after "Statutes, "
2 establishing the Agricultural Business Development Center and
3 the Agricultural Business Development Center Advisory
4 Committee;

5 Amend Bill, page 1, line 4, by striking out the period after
6 "Fund" and inserting
7 ; providing for agriculture and youth development; establishing
8 the Urban Agricultural Infrastructure Grant Program; and
9 making a related repeal.

10 Amend Bill, page 1, lines 7 and 8, by striking out all of
11 said lines and inserting

12 Section 1. Title 3 of the Pennsylvania Consolidated Statutes
13 is amended by adding a chapter to read:

14 CHAPTER 48
15 AGRICULTURAL BUSINESS DEVELOPMENT CENTER

16 Sec.

17 4801. Short title of chapter.

18 4802. Definitions.

19 4803. Establishment.

20 4804. Purpose.

21 4805. Agricultural Business Development Center Advisory
22 Committee.

23 4806. Grant programs.

24 4807. Limitation on grants.

25 4808. Disposition of grants.

26 4809. Regulations.

27 4810. Agricultural Business Development Center Fund.

28 § 4801. Short title of chapter.

29 This chapter shall be known and may be cited as the
30 Agricultural Business Development Center Act.

31 § 4802. Definitions.

32 The following words and phrases when used in this chapter
33 shall have the meanings given to them in this section unless the
34 context clearly indicates otherwise:

35 "Advisory committee." The Agricultural Business Development

1 Center Advisory Committee established under section 4805
2 (relating to Agricultural Business Development Center Advisory
3 Committee).

4 "Center." The Agricultural Business Development Center
5 established under section 4803 (relating to establishment).

6 "Fund." The Agricultural Business Development Center Fund
7 established under section 4810 (relating to Agricultural
8 Business Development Center Fund).

9 § 4803. Establishment.

10 The Agricultural Business Development Center is established
11 in the department, which shall staff and operate the center.

12 § 4804. Purpose.

13 The department shall operate the center for the following
14 purposes:

15 (1) To provide farmers and prospective farmers a
16 resource and reference center for creating business plans and
17 management strategies to enhance the long-term economic
18 viability of a farm.

19 (2) To provide farmers a resource and reference center
20 for creating plans for the transition of ownership and
21 operation of a farm to new owners and operators.

22 (3) To provide farmers a resource and reference center
23 for creating plans for transfer of ownership and operation of
24 a farm within the farmer's family.

25 (4) To provide a resource and reference center for
26 helping a farmer diversify an existing agricultural operation
27 to new or different forms of agricultural production,
28 including on-farm value-added processing and agritourism.

29 (5) To provide persons who own or operate farms that are
30 subject to perpetual agricultural conservation easements
31 acquired under the act of June 30, 1981 (P.L.128, No.43),
32 known as the Agricultural Area Security Law, resources to
33 help maintain the long-term economic viability of the farms
34 and protect the investment of public funds in preserving the
35 farms for agricultural production.

36 (6) To provide a resource and reference center for
37 persons planning a farm expansion or seeking financing for
38 farm growth.

39 (7) To help identify and build teams of planning
40 facilitators, accountants, financial planners, lenders,
41 marketers, conservation and nutrient management planners and
42 veterinarians who can provide expertise.

43 (8) To devise, award and administer grants to farmers,
44 prospective farmers and others.

45 § 4805. Agricultural Business Development Center Advisory
46 Committee.

47 (a) Establishment.--There is established the Agricultural
48 Business Development Center Advisory Committee, to advise the
49 secretary with respect to the secretary's responsibilities under
50 this chapter.

51 (b) Membership.--The advisory committee shall consist of the

1 following members:

2 (1) The secretary, who shall serve as chairperson.

3 (2) The secretary of the Department of Community and
4 Economic Development or a designee.

5 (3) The dean of the College of Agricultural Sciences at
6 The Pennsylvania State University or a designee.

7 (4) One representative selected annually from each of
8 the following organizations:

9 (i) The Pennsylvania Bankers Association.

10 (ii) A farm credit association servicing clients in
11 this Commonwealth.

12 (iii) The Pennsylvania Association of Conservation
13 Districts.

14 (5) The following individuals appointed by the
15 secretary:

16 (i) A licensed veterinarian whose practice includes
17 food animals.

18 (ii) A person certified to create nutrient
19 management plans.

20 (iii) A certified public accountant.

21 (iv) A financial planner.

22 (v) An attorney.

23 (vi) A farmer who has experience with a farm
24 transition or diversification of the agricultural
25 production of a farm.

26 (c) Terms.--

27 (1) The term of office for each advisory committee
28 member under subsection (b) (5) shall be three years, except
29 that the initial terms shall be staggered as follows:

30 (i) Two members shall each serve a term of one year.

31 (ii) Two members shall each serve a term of two
32 years.

33 (iii) Two members shall each serve a term of three
34 years.

35 (2) Advisory committee members may be appointed to
36 successive terms at the discretion of the secretary, except
37 that no member may serve more than two three-year terms.
38 Vacancies shall be filled in the same manner as the original
39 appointments.

40 (d) Duties.--The advisory committee shall meet as often as
41 necessary to advise the secretary on satisfying the purpose of
42 this chapter and establishing and awarding grants under this
43 chapter.

44 (e) Expenses.--Advisory committee members shall serve
45 without compensation but shall be entitled to expenses which are
46 reasonable and necessary in the performance of their duties.
47 § 4806. Grant programs.

48 (a) Authorization.--The department may establish programs to
49 award grants for the purposes described in this chapter.

50 (b) Grant program standards and requirements.--The following
51 shall apply:

1 (1) The department shall establish grant program
2 standards and requirements for a grant program under this
3 chapter and shall transmit notice of the grant program
4 standards and requirements to the Legislative Reference
5 Bureau for publication in the Pennsylvania Bulletin.

6 (2) Grant program standards and requirements shall do
7 the following:

8 (i) Establish eligibility standards for applicants.

9 (ii) Describe the objectives of the grant program,
10 which objectives shall be consistent with this chapter.

11 (iii) Establish caps, limits and restrictions with
12 respect to grant amounts.

13 (iv) Establish an application process and timetable.

14 (v) Present the criteria under which grant
15 applications shall be evaluated by the department.

16 (vi) Establish a timetable within which the
17 department shall award or disapprove a complete grant
18 application.

19 (vii) Establish procedures by which the department
20 shall verify expenditures of grant money by a grant
21 recipient.

22 § 4807. Limitation on grants.

23 (a) Available funding.--Grants shall be awarded to the
24 extent money is made available by the General Assembly.

25 (b) Matching.--Grant amounts shall be limited to 75% of
26 project costs. In-kind support shall not be counted toward an
27 applicant's matching contribution.

28 (c) Conditions.--The secretary may approve a grant in less
29 than the requested amount. The secretary may also impose
30 restrictions or special conditions upon the issuance of the
31 grant.

32 § 4808. Disposition of grants.

33 (a) Written agreement.--The department may require a written
34 agreement describing the terms and conditions of the grant.

35 (b) Return of grant money.--The department may establish
36 criteria under which the secretary may demand the return of all
37 or a portion of the grant money.

38 § 4809. Regulations.

39 The department may promulgate rules and regulations to
40 administer and enforce this chapter.

41 § 4810. Agricultural Business Development Center Fund.

42 (a) Establishment.--The Agricultural Business Development
43 Center Fund is established in the State Treasury as a special
44 fund which shall be an interest-bearing restricted revenue
45 account. Money collected by the department under this chapter or
46 appropriated, given, granted or donated for the purpose
47 established under this chapter by the Commonwealth or any other
48 government or private agency or person shall be deposited into
49 the fund.

50 (b) Appropriation.--Money in the fund is appropriated on a
51 continuing basis to the department for the purpose of

administering this chapter. All interest and earnings received from investments or deposits of the money in the fund shall be paid into the account for the purpose authorized by this section. Unexpended money and interest or earnings on the money in the fund may not be transferred or revert to the General Fund but shall remain in the account to be used by the department for the purpose specified under this section.

Section 2. Title 3 is amended by adding a part to read:

Amend Bill, page 1, line 13, by striking out "(Reserved)" and inserting

Agriculture and Youth Development

Amend Bill, page 1, by inserting between lines 14 and 15

107. Urban Agricultural Infrastructure Grant Program

Amend Bill, page 1, line 18, by striking out all of said line and inserting

AGRICULTURE AND YOUTH DEVELOPMENT

Sec.

10301. Definitions.

10302. Board membership.

10303. Agriculture and Youth Organization Grant Program.

10304. Applications.

10305. Grants.

10306. Regulations.

10307. Funding.

§ 10301. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Agriculture and youth organization." An organization composed mainly of youth and organized to promote development in the areas of agriculture, community leadership, vocational training and peer fellowship. The term includes, but is not limited to, Pennsylvania FFA, 4-H, Ag in the Classroom, the Family, Career and Community Leaders of America and vocational education programs.

"Board." The State Agriculture and Youth Development Board.

"Program." The Agriculture and Youth Organization Grant Program.

§ 10302. Board membership.

The board shall consist of the following members, with a majority of members constituting a quorum:

(1) The secretary or a designee, who shall serve as chairperson.

(2) The Secretary of Education or a designee.

(3) The chairperson and minority chairperson of the Agriculture and Rural Affairs Committee of the Senate or a

1 designee and the chairperson and minority chairperson of the
2 Agriculture and Rural Affairs Committee of the House of
3 Representatives or a designee.

4 (4) One representative from the Pennsylvania Association
5 of Agriculture Educators and one from the Penn State
6 Cooperative Extension, both of whom shall be appointed by the
7 Governor.

8 (5) The Statewide president of the Pennsylvania FFA.

9 (6) The 4-H Statewide Council President.

10 (7) Up to three representatives, each from a different
11 Pennsylvania farm or rural organization having a youth
12 program, whom shall be appointed by the secretary.

13 (8) A representative of an urban agriculture community
14 program.

15 (9) A youth representative of an urban garden operation
16 or another urban agriculture operation.

17 § 10303. Agriculture and Youth Organization Grant Program.

18 (a) Program.--The department, in consultation with the
19 board, shall establish a program of grants for agriculture and
20 youth organizations qualifying to receive grants under this
21 chapter, to be known as the Agriculture and Youth Organization
22 Grant Program.

23 (b) Purpose.--Grants awarded under this chapter may be used
24 for any of the following purposes:

25 (1) To cover the costs of special projects conducted by
26 the organization and approved by the board.

27 (2) For educational or work force development programs
28 conducted by the organization and approved by the board.

29 (3) For educational or work force development seminars
30 and field trips conducted by the organization and approved by
31 the board.

32 (4) For agricultural safety training programs conducted
33 by the organization and approved by the board.

34 (5) For certain capital projects and equipment purchases
35 approved by the board.

36 § 10304. Applications.

37 (a) Application procedure.--An agriculture and youth
38 organization may make application at the time, in the manner and
39 containing information as the department may require. The
40 department shall determine, from the information provided,
41 whether the application is eligible for consideration by the
42 board.

43 (b) Annual meeting.--The board shall meet annually to
44 recommend to the department the awarding of grants to qualifying
45 organizations.

46 (c) Other meetings.--The board shall meet at the call of the
47 chairperson to conduct business related to the award of grants.

48 § 10305. Grants.

49 (a) General rule.--The department shall make grants in an
50 amount not to exceed \$7,500 to qualifying agriculture and youth
51 organizations upon the recommendation of the board.

1 (b) Matching funds.--Grants in an amount not to exceed
2 \$25,000 shall be awarded to qualifying agriculture and youth
3 organizations selected to receive the awards for the purposes of
4 capital projects. Grants for capital projects must be matched by
5 private money in an amount equal to the State grant.

6 (c) Annual allocation.--The board shall establish annual
7 allocation limits for each fiscal year.

8 § 10306. Regulations.

9 The department shall administer the provisions of this
10 chapter and, with the approval of the board, shall prescribe and
11 adopt program policy guidelines or regulations to administer and
12 enforce this chapter. Until or unless supplanted by program
13 policy guidelines or regulations adopted under this section, the
14 program guidelines promulgated under the act of August 6, 1991
15 (P.L.326, No.33), known as the Agriculture and Rural Youth
16 Development Act, shall be the policy guidelines for the program.
17 § 10307. Funding.

18 For purposes of implementing the provisions of this chapter,
19 the department may use:

20 (1) Any money appropriated by the General Assembly to
21 the department to carry out the provisions of this chapter.

22 (2) Any other money, contributions or payments which may
23 be made available to the department by the Federal Government
24 or by any public or private source.

25 Amend Bill, page 8, by inserting between lines 20 and 21

26 CHAPTER 107

27 URBAN AGRICULTURAL INFRASTRUCTURE GRANT PROGRAM

28 Sec.

29 10701. Legislative intent.

30 10702. Definitions.

31 10703. Grant program.

32 10704. Distribution of grant money.

33 10705. Funding.

34 § 10701. Legislative intent.

35 It is the intent of the General Assembly to establish a
36 reimbursement grant program under which persons who implement
37 projects that improve agriculture infrastructure in urban areas
38 and that focus on aggregation of agricultural products, sharing
39 of resources and support for community development resources may
40 be reimbursed some portion of the costs of the projects.

41 § 10702. Definitions.

42 The following words and phrases when used in this chapter
43 shall have the meanings given to them in this section unless the
44 context clearly indicates otherwise:

45 "Eligible project." A project that the department determines
46 does all of the following:

47 (1) Improves agricultural infrastructure in an urban
48 area.

49 (2) Improves or facilitates the aggregation of

1 agricultural products in an urban area.

2 (3) Entails the sharing of resources among urban
3 agricultural operations, agricultural producers or community
4 organizations.

5 (4) Supports community development in the project area.
6 "Person." An individual, partnership, association, firm,
7 corporation or any other legal entity.

8 "Program." The Urban Agricultural Infrastructure Grant
9 Program established under this chapter.
10 § 10703. Grant program.

11 (a) Availability.--Grants under this chapter shall only be
12 offered in a fiscal year in which and to the extent funding is
13 made available to the department. The following apply:

14 (1) If funding is exhausted or otherwise unavailable,
15 the department shall be under no obligation to provide grants
16 under this chapter.

17 (2) Grant money may be prorated or offered as a
18 percentage of actual costs, as determined by the department
19 and set forth in an order by the secretary, to spread
20 available money to a larger number of eligible projects. The
21 secretary shall transmit notice of an order to the
22 Legislative Reference Bureau for publication in the
23 Pennsylvania Bulletin.

24 (b) Reimbursement grants.--Grants under this chapter shall
25 be reimbursement grants. The following shall apply:

26 (1) The amount of reimbursement shall be based on actual
27 eligible costs submitted by an approved applicant for an
28 approved project during any fiscal year in which grants are
29 offered.

30 (2) Grant reimbursement money shall be limited to 50% or
31 less of the costs of an eligible project.

32 (3) Grant reimbursement money shall not be used to
33 reimburse any portion of an in-kind contribution to an
34 eligible project.

35 (4) Grant money may not be used to pay or reimburse
36 wages or salaries of grant recipient staff.

37 (5) Grant money may not be used to reimburse any portion
38 of the project costs which are being paid or reimbursed under
39 another Federal or State grant program.

40 (6) A single applicant may not be awarded more than
41 \$100,000 in grants in any five-year period, calculated from
42 the date the department awards the grant.

43 (c) Eligibility.--A person may apply to the department, in
44 accordance with the program standards and requirements under
45 subsection (d), for a determination by the department that a
46 project is an eligible project that may receive a reimbursement
47 grant under this chapter.

48 (d) Program standards and requirements.--The department
49 shall, consistent with this chapter and any appropriation of
50 money for grants under this chapter, establish the terms and
51 conditions for the application process for program reimbursement

1 grants, including the maximum reimbursement grant amount an
2 applicant may receive in any single fiscal year. The department
3 shall transmit notice of the requirements to the Legislative
4 Reference Bureau for publication in the Pennsylvania Bulletin.

5 (e) Application procedure.--An applicant who desires to
6 receive a program reimbursement grant shall submit a grant
7 application on a form provided by the department and in
8 accordance with program standards and requirements. The
9 application shall contain the following information and other
10 information as required by the department:

11 (1) The applicant's name, business address and contact
12 information.

13 (2) The details of the project for which reimbursement
14 grant money is sought, including the following:

15 (i) A project budget.

16 (ii) A statement of the maximum amount of grant
17 money sought for the project, not to exceed 50% of
18 project costs.

19 (iii) A project construction and implementation
20 schedule.

21 (iv) A narrative identifying each entity that will
22 assist in, participate in and benefit from the project.

23 (v) A description of how the project would improve
24 agricultural infrastructure in an urban area.

25 (vi) A description of how the project improves or
26 facilitates the aggregation of agricultural products in
27 an urban area.

28 (vii) A description of how the project entails the
29 sharing of resources among urban agricultural operations
30 agricultural producers or community organizations.

31 (viii) A description of how the project supports
32 community development in the project area.

33 (ix) An attestation signed by the applicant,
34 verifying the accuracy of the information presented on
35 the application.

36 (x) Other information as the department may
37 reasonably require.

38 (f) Grant awards.--The department shall award grants to
39 applicants in accordance with this chapter and the applicable
40 program standards and requirements.

41 § 10704. Distribution of grant money.

42 The department shall issue program reimbursement grant money
43 to pay some portion of the costs of an eligible project based
44 upon the applicant's submission of a verified statement that the
45 eligible project has been completed or implemented, including a
46 statement of the project completion date, photos of the
47 completed or implemented project with a narrative explanation of
48 each photo, bills and invoices for which reimbursement grant
49 money is sought and other information as the department may
50 reasonably require.

51 § 10705. Funding.

1 The department shall use money as appropriated by the General
2 Assembly for grants under this chapter, and may also use any
3 other money that is made available to the department for grants
4 under this chapter, by Federal appropriation, State
5 appropriation, donation or from any other source.

6 Section 3. Repeals are as follows:

7 (1) The General Assembly declares that the repeal under
8 paragraph (2) is necessary to effectuate the addition of 3
9 Pa.C.S. Ch. 103.

10 (2) The act of August 6, 1991 (P.L.326, No.33), known as
11 the Agriculture and Rural Youth Development Act, is repealed.

12 Amend Bill, page 8, line 21, by striking out "2" and
13 inserting

14 4