

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 912 Session of
2003

INTRODUCED BY WAUGH, WENGER, O'PAKE, MADIGAN, KUKOVICH, KITCHEN,
LOGAN, MOWERY, D. WHITE, CORMAN, ERICKSON, DENT, RAFFERTY,
M. WHITE, GREENLEAF, MUSTO, LEMMOND, ARMSTRONG, WONDERLING,
ROBBINS, WOZNIAK, KASUNIC AND BOSCOLA, SEPTEMBER 16, 2003

SENATOR THOMPSON, APPROPRIATIONS, IN SENATE, RE-REPORTED AS
AMENDED, OCTOBER 4, 2004

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, providing for crop insurance premium payments and
3 for a report by the Department of Agriculture; and making a
4 repeal.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

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

9 CHAPTER 47

10 CROP INSURANCE

11 Sec.

12 ~~4701. Definitions.~~

13 ~~4702. Powers and duties of department.~~

14 ~~4703. Federal crop insurance premiums.~~

15 ~~4704. Funding.~~

16 ~~4705. Report.~~

17 ~~§ 4701. Definitions.~~

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1 4701. SHORT TITLE OF CHAPTER.

2 4702. PURPOSE OF CHAPTER.

3 4703. DEFINITIONS.

4 4704. ESTABLISHMENT OF PROGRAM.

5 4705. POWERS AND DUTIES OF DEPARTMENT.

6 4706. CROP INSURANCE FINANCIAL ASSISTANCE.

7 4707. FUNDING.

8 4708. REPORT.

9 § 4701. SHORT TITLE OF CHAPTER.

10 THIS CHAPTER SHALL BE KNOWN AND MAY BE CITED AS THE CROP
11 INSURANCE LAW.

12 § 4702. PURPOSE OF CHAPTER.

13 THE PURPOSE OF THIS CHAPTER IS TO ESTABLISH A PROGRAM WITHIN
14 THE DEPARTMENT TO ENCOURAGE PRODUCERS OF AGRICULTURAL
15 COMMODITIES TO PURCHASE FEDERAL CROP INSURANCE AND ADOPT RISK
16 MANAGEMENT PRACTICES, AND TO PROVIDE CROP INSURANCE FINANCIAL
17 ASSISTANCE, SUBJECT TO THE AVAILABILITY OF FUNDING, TO ELIGIBLE
18 PRODUCERS FOR CROP INSURANCE PREMIUM COSTS.

19 § 4703. DEFINITIONS.

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

23 "Agricultural commodity." Any of the following, transported
24 or intended to be transported in commerce:

25 (1) Agricultural, aquacultural, horticultural,
26 floricultural, viticultural or dairy products.

27 (2) Agricultural crops.

28 (3) Livestock and products of livestock.

29 (4) Poultry and products of poultry.

30 (5) Ranch-raised fur-bearing animals and the products of

1 ranch-raised fur-bearing animals.

2 (6) The products of bee raising.

3 (7) Forestry and forestry products.

4 (8) Any products raised or produced on farms intended
5 for on farm or human consumption and the processed or
6 manufactured products of such products intended for human
7 consumption.

8 "ELIGIBLE PRODUCER." A PRODUCER WHO HAS APPLIED FOR AND HAS <—
9 RECEIVED FEDERAL CROP INSURANCE FOR THE CROP YEAR FOR WHICH CROP
10 INSURANCE FINANCIAL ASSISTANCE IS SOUGHT.

11 "Producer." Any person engaged within this Commonwealth in
12 the business of producing an agricultural commodity or causing
13 agricultural commodities to be produced.

14 ~~§ 4702. Powers and duties of department.~~ <—

15 § 4704. ESTABLISHMENT OF PROGRAM. <—

16 THE DEPARTMENT SHALL ESTABLISH A PROGRAM TO EDUCATE PRODUCERS
17 ON THE BENEFITS OF FEDERAL CROP INSURANCE AND RISK MANAGEMENT
18 PRACTICES. THE PROGRAM SHALL PROMOTE THE PURCHASE OF FEDERAL
19 CROP INSURANCE AND MAY PROVIDE FINANCIAL ASSISTANCE TO ELIGIBLE
20 PRODUCERS TO PARTIALLY OFFSET FEDERAL CROP INSURANCE PREMIUMS.
21 THE PROVISION OF FINANCIAL ASSISTANCE SHALL BE SUBJECT TO THE
22 AVAILABILITY OF FUNDING.

23 § 4705. POWERS AND DUTIES OF DEPARTMENT.

24 (a) Administration of chapter.--Subject to the conditions
25 contained in this chapter, the department shall administer this
26 chapter and shall exercise all administrative powers necessary
27 to effectuate the purposes of this chapter, including, BUT NOT <—

28 LIMITED TO, drafting and entering into agreements necessary to
29 implement this ~~chapter~~. CHAPTER, ESTABLISHING ELIGIBILITY <—

30 CRITERIA FOR CROP INSURANCE FINANCIAL ASSISTANCE, AND DEVELOPING

1 AN APPLICATION AND APPLICATION PROCEDURE FOR CROP INSURANCE
2 FINANCIAL ASSISTANCE INCLUDING TIME FRAMES FOR THE SUBMISSION,
3 REVIEW AND APPROVAL OF APPLICATIONS.

4 (b) Drafting and entering agreements.--The department is
5 authorized to draft and enter into agreements with Federal
6 agencies, other Commonwealth agencies and private entities as
7 necessary to implement this chapter.

8 ~~(c) Program development. The department is authorized to~~ <—
9 ~~utilize a portion of any funds appropriated by the General~~
10 ~~Assembly or any funds, contributions or payments which may be~~
11 ~~made available to the department by another State agency, the~~
12 ~~Federal Government or any public or private source for the~~
13 ~~purpose of risk management program development and~~
14 ~~administration.~~

15 ~~§ 4703. Federal crop insurance premiums.~~

16 (C) REGULATIONS.--THE DEPARTMENT IS AUTHORIZED TO PROMULGATE <—
17 ANY REGULATIONS THAT MAY BE NECESSARY TO IMPLEMENT THIS CHAPTER.

18 § 4706. CROP INSURANCE FINANCIAL ASSISTANCE.

19 The department may provide ~~payment~~ CROP INSURANCE FINANCIAL <—
20 ASSISTANCE TO ELIGIBLE PRODUCERS for Federal crop insurance in
21 an amount up to 10% of the cost of the insurance premiums ~~for~~ <—
22 ~~producers of agricultural commodities who applied for and~~
23 ~~received Federal crop insurance for that crop year,~~ in years in
24 which funds are appropriated or made available to the
25 department. If sufficient funds are not available to provide for
26 up to 10% of the cost of the insurance premiums, the department
27 shall prorate the available funds among all the producers of
28 agricultural commodities who applied for and received Federal
29 crop insurance for that crop year.

30 ~~§ 4704. Funding.~~ <—

1 ~~(a) Continuous appropriation. Money under this chapter is~~
2 ~~continuously appropriated to the department, and the~~
3 ~~appropriation shall not lapse at the end of any fiscal year.~~

4 ~~(b)~~

5 § 4707. FUNDING.

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6 (A) Use of specific appropriations, contributions and other
7 payments.--The department is authorized to use funds
8 specifically appropriated by the General Assembly for the
9 purposes of this chapter and any funds, contributions or
10 payments which may be made available to the department by
11 another State agency, the Federal Government or any public or
12 private source for the purpose of implementing this chapter.

13 ~~§ 4705. Report.~~

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14 (B) CONTINUING APPROPRIATIONS.--MONEYS APPROPRIATED BY THE
15 GENERAL ASSEMBLY, AFTER THE EFFECTIVE DATE OF THIS SECTION, FOR
16 THE PURPOSES OF THIS CHAPTER, SHALL BE TWO-YEAR CONTINUING
17 APPROPRIATIONS AND SHALL LAPSE AT THE CLOSE OF THE FISCAL YEAR
18 NEXT SUCCEEDING THE FISCAL YEAR IN WHICH THE MONEYS WERE
19 APPROPRIATED.

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20 § 4708. REPORT.

21 The department shall submit annually to the CHAIRMAN AND
22 MINORITY CHAIRMAN OF THE Agriculture and Rural Affairs Committee
23 of the Senate and the CHAIRMAN AND MINORITY CHAIRMAN OF THE
24 Agriculture and Rural Affairs Committee of the House of
25 Representatives a report that provides details of the
26 department's expenditures, including administrative
27 expenditures, under this chapter.

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28 Section 2. Section 5102(b) of the act of December 13, 1999
29 (P.L.905, No.57), known as the Drought, Orchard and Nursery
30 Indemnity and Flood Relief Act, is repealed.

1 Section 3. This act shall take effect in 60 days.