



NEW YORK STATE SENATOR

Darrel J. Aubertine

Senate Ag Committee Holds Hearing on Farm Worker Bill

DARREL J. AUBERTINE March 1, 2010

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Aubertine: Legislature should focus on promoting agriculture, not adding mandates on farmers

ALBANY (March 1, 2010)—The New York State Senate's Agriculture Committee held a public hearing today to gather testimony on the proposed Farmworker Fair Labor Practices Act,

after which Committee Chair Sen. Darrel J. Aubertine called for a pro-active agenda to grow our state's agriculture industry.

"Agriculture is a critical piece of the foundation for our state's economy from the North Fork on Long Island to Massena and from Buffalo to the Capital Region," Sen. Aubertine said.

"This industry is more than farmers tilling the land and milking cows. It is an industry that supports hundreds of thousands of jobs on and off the farms in our communities. Our focus in creating and preserving jobs should include our farms and agricultural industries at the forefront of those discussions."

"Agriculture still is our number one industry," said Sen. Catharine M. Young, Ranking Minority Member of the Agriculture Committee. "We have to keep the viability of our farms in mind and do what's right for our farmers and our farm workers. We have to protect and boost our economy. I believe there is a solution that will accomplish all of these goals."

The Agriculture Chair said the agenda for the committee will include the promotion of farm to table sales direct from farmers to the consumer, preservation of existing farmland, and most importantly, relief from taxes, fees and regulations imposed on farmers. To accomplish these goals, the Senator is again calling for passage of legislation to promote urban farmer's markets that sell New York produce (S.6782), expansion of the farmland protection eligibility to enable not-for-profits to help farmers take steps to protect their land (S.4476), and the Farmer Tax, Fee and Regulatory Reform Act (S.6947).

Introduced by Sen. Aubertine last week, the Farmer Tax, Fee and Mandate Relief Act would amend New York State laws to help farmers gain inclusion in agricultural districts, obtain tax credits for farm investments, exempt farm wineries from sales tax reporting requirements, ease corporation filing fees for farmers, ease payroll tax and vehicle supplemental registration fees within the Metropolitan Transit Authority service region, clarify that trucks used for agricultural purposes are exempt from highway use tax, reduce fees on agricultural truck registration, and reduce permit fees with the Department of Environmental Conservation.

Dean Norton, President of New York Farm Bureau, said “I want to applaud Senator Aubertine and his colleagues on the Committee for holding this important hearing. It’s critical that lawmakers understand that a lot of the conditions that advocates say are occurring on our farms are, not only untrue, but also illegal under current laws. If we are to continue to have local farms producing local food for local people, we need ways to strengthen the farm community, such as the Farmer Tax, Fee and Mandate Relief Act, not keep introducing ridiculous bills that impose costly mandates.”

In regard to the hearing, testimony was given in person by farmers, advocates, agribusiness and other interested or affected parties, all of whom discussed the legislation, the impact its mandates would have on farm workers and the agriculture industry as a whole. Written testimony was also be accepted by the committee from parties unable to attend the hearing.

“I was honored to testify at this hearing and represent farmers from Niagara County,” said Oscar Vizcarra of Becker Orchards and Vizcarra Vineyards, who told the committee that he no longer sells asparagus because he competes against foreign farms in Peru that exploit workers paying \$5 to \$8 per day, when he pays his workers \$8 to \$9.50 per hour. “We can no longer afford more regulations and the reality is we have to compete on the same playing field as South America and China. That’s why I came here today.”

The farm worker bill was amended twice in January before it was reported out of the Senate Labor Committee on January 20 and committed to the Agriculture Committee the following day. Sen. Aubertine and the committee scheduled the hearing to ensure that the bill is opened up to public scrutiny and comment. This bill presents new regulations for the state’s 35,000 farms, even those that do not regularly hire farm workers, not to mention other provisions that could impact the price of food for consumers and the availability of local products.

“It is important that we gave the committee this opportunity to hear from those who would be affected by this legislation, especially our farmers and the businesses that make up our agriculture industry,” Sen. Aubertine said. “New York’s farmers already operate under some of the most comprehensive regulations to protect the rights of farm workers, paying their workers fair wages and additional benefits, including housing. This bill stands to impose expansive and onerous new mandates on farmers who do not get to set the price they get for their goods. We’ve lost more than a farm a day in New York State over the past 30 years and there’s no question that we cannot afford to lose another industry, especially agriculture, which is a cornerstone of our economy.”