

No. 2004-181

AN ACT

SB 673

Amending the act of June 26, 1992 (P.L.322, No.64), entitled "An act providing for Commonwealth support for the Agriculture Education Loan Forgiveness Program for Pennsylvania residents who graduate from institutions of higher education and who apply their degrees in agriculture to family farms within this Commonwealth," amending the title; and further providing for definitions, for the Agriculture Education Loan Forgiveness Program and for funding.

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

Section 1. The title of the act of June 26, 1992 (P.L.322, No.64), known as the Agriculture Education Loan Forgiveness Act, is amended to read:

AN ACT

Providing for Commonwealth support for the Agriculture Education Loan Forgiveness Program for *certain* Pennsylvania residents who graduate from institutions of higher education and who apply their degrees in [agriculture to] family [farms] *farm operations, the practice of veterinary medicine or teaching an agriculture curriculum* within this Commonwealth.

Section 2. Sections 2, 3 and 5 of the act are amended to read:

Section 2. Definitions.

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

"Agency." The Pennsylvania Higher Education Assistance Agency.

"Agricultural products." Crops, livestock and livestock products, and commodities, including, but not limited to:

(1) Field crops, including corn, wheat, oats, rye, barley, hay, potatoes and dry beans.

(2) Fruits, including apples, peaches, grapes, cherries and berries.

(3) Vegetables, including tomatoes, snap beans, cabbage, carrots, beets, onions and mushrooms.

(4) Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers.

(5) Cattle, sheep, hogs, goats, horses, poultry, furbearing animals, milk, eggs and furs.

(6) Timber, wood and other wood products derived from trees.

(7) Aquatic plants and animals and their by-products.

(8) Products derived from any of the above and other products derived from the business of farming, including such other products as may be manufactured, derived or prepared from the heretofore mentioned products, raw or processed, which are used as food for man or animals.

“Family farm.” The real property of a farm owned by members of an immediate family or by a family farm corporation used for the production, for commercial purposes, of agricultural products.

“Family farm corporation.” A corporation of which at least 75% of its assets are devoted to the business of agriculture and at least 75% of each class of stock of the corporation is continuously owned by members of the immediate family.

“Immediate family member.” A spouse, child, stepchild, parent, stepparent, grandparent, brother, stepbrother, sister, stepsister or like relative-in-law of an owner of real property.

“Mixed practice of veterinary medicine.” As described by the American Veterinary Medical Association, that type of clinical veterinary practice or consultation which deals with more than one categorical species, including, but not limited to, agricultural animals.

“Practice of veterinary medicine.” The practice in the field of veterinary medicine by any person qualified by educational training and experience in the science and techniques of veterinary medicine and who is currently licensed to practice veterinary medicine by the Pennsylvania State Board of Veterinary Medicine under the act of December 27, 1974 (P.L.995, No.326), known as the Veterinary Medicine Practice Act.

“Qualified applicant.” A resident of this Commonwealth who meets *the criteria in all of the following [criteria] paragraphs*:

(1) Holds:

(i) a degree in a field related to the production of agricultural products [or] *from an accredited college or university*;

(ii) *a current certification under the Department of Education's Certification and Staffing Policies and Guidelines Number 30-Agriculture Certification or a successor document*; or

(iii) *a degree in the field of veterinary medicine, from an [institution of higher education located within this Commonwealth, approved by the agency for participation under this act] accredited college or university.*

(2) [Is in] *Has commenced*:

(i) the first year of full-time employment or work on a family farm [or in] *on or after July 1, 1991*;

(ii) *the first year of full-time employment teaching an agricultural curriculum at the elementary or secondary level in a public or private school on or after the effective date of this subparagraph*; or

(iii) the practice of veterinary medicine, a portion of which activity must be for the protection and enhancement of agricultural animal health and productivity, on or after July 1, 1991.

(3) Has:

(i) borrowed through the agency-administered Guaranteed Student Loan Programs[,] *for an educational institution located in this Commonwealth; or*

(ii) *for individuals who have commenced work under paragraph (2)(i) or practice under paragraph (2)(iii), borrowed through the agency-administered Guaranteed Student Loan Programs for an accredited college or university.*

“U.S.D.A. certification.” Certification by the United States Department of Agriculture that a graduate veterinarian has successfully passed an examination and is certified to sign health certificates allowing the interstate commerce of agricultural animals and animal products as well as the ability to certify regulatory testing such as bovine tuberculosis and brucellosis.

“Veterinary medicine.” That branch of medicine which deals with the diagnosis, prognosis, treatment, administration, prescription, operation or manipulation or application of any apparatus or appliance for any disease, pain, deformity, defect, injury, wound or physical condition of any animal or for the prevention of or the testing for the presence of any disease.

Section 3. Agriculture Education Loan Forgiveness Program.

(a) **Eligibility.**—Qualified applicants who are selected for the Agriculture Education Loan Forgiveness Program, in accordance with this act, shall be eligible for payment by the agency of a portion of the debt incurred by the applicant through the agency-administered Guaranteed Student Loan Programs for the education necessary to receive a degree in an agriculturally related field. [For]

(b) **Time.**—*The agency shall forgive a proportional part of the applicant’s loan for each year that the applicant:*

(1) is employed full time on a family farm or works full time on a family farm, a portion of which must be located within this Commonwealth[, or];

(2) *meets the requirements of paragraph (1)(ii) of the definition of “qualified applicant” in section 2 and is engaged as a full-time teacher of an agricultural curriculum at the elementary or secondary level in a public or private school within this Commonwealth; or*

(3) is engaged in the mixed practice of veterinary medicine within this Commonwealth, a portion of which activity must be for the protection and enhancement of agricultural animal health and productivity, and who has obtained U.S.D.A. certification[, **the agency shall forgive a proportional part of the applicant’s loan.**]

(c) **Maximum forgiveness.**—No more than \$2,000 shall be forgiven in any year, and no more than \$10,000 shall be forgiven for any applicant. [Payments] Awards shall be made in accordance with the procedures established by the agency.

Section 5. Funding.

Loan forgiveness awards shall be made to the extent that funds are appropriated by the General Assembly. *If funds appropriated for this act are*

insufficient to provide awards under section 3 to all eligible qualified applicants, awards shall be made to eligible qualified applicants on a pro rata basis.

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

APPROVED—The 29th day of November, A.D. 2004.

EDWARD G. RENDELL