

2422

2009-2010 Regular Sessions

I N S E N A T E

February 19, 2009

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the agriculture and markets law, in relation to establishing the Phytophthora research program at the New York State College of Agriculture and Life Sciences, and making an appropriation therefor

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The agriculture and markets law is amended by adding a new
2 section 169-e to read as follows:

3 S 169-E. PHYTOPHTHORA RESEARCH PROGRAM. 1. LEGISLATIVE INTENT. PHYTO-
4 PHTHORA BLIGHT, CAUSED BY THE PATHOGEN PHYTOPHTHORA CAPSICI, IS A DEVAS-
5 TATING DISEASE OF MANY SOLANACEOUS (PEPPER, EGGPLANT AND TOMATO) AND
6 CUCURBIT (SQUASH, MELON, CUCUMBER, GOURD AND PUMPKIN) CROPS. THE INCI-
7 DENCE OF PHYTOPHTHORA BLIGHT HAS INCREASED AND CAUSED SEVERE LOSSES IN
8 SHORT PERIODS OF TIME ACROSS NEW YORK STATE IN RECENT YEARS, MAKING
9 GROWERS HIGHLY VULNERABLE TO EXTENSIVE CROP LOSS AND ECONOMIC HARDSHIP.
10 BY EXTENSION, FOOD PROCESSING AND MANUFACTURING INDUSTRIES THAT REGULAR-
11 LY PURCHASE LARGE VOLUMES OF NEW YORK-GROWN PRODUCE COULD BE NEGATIVELY
12 IMPACTED AND SUBSEQUENTLY SEEK OUT-OF-STATE INGREDIENTS FOR THEIR
13 PRODUCTS. THE LEGISLATURE FINDS THAT A TARGETED DISEASE MANAGEMENT
14 RESEARCH PROGRAM TO COMBAT AND CONTROL PHYTOPHTHORA BLIGHT IS NECESSARY
15 TO ENSURE THE CONTINUED VIABILITY OF THE STATE'S AGRICULTURAL PRODUCERS
16 AND MANUFACTURERS, SERVING AS A FOUNDATION FOR THE DEVELOPMENT OF A
17 MULTI-COMPONENT DISEASE MANAGEMENT STRATEGY FOR GROWERS OF SOLANACEOUS
18 AND CUCURBIT CROPS IN THE STATE.

19 2. PHYTOPHTHORA RESEARCH PROGRAM. THE PHYTOPHTHORA RESEARCH PROGRAM IS
20 HEREBY ESTABLISHED AT THE NEW YORK STATE COLLEGE OF AGRICULTURE AND LIFE
21 SCIENCES AT CORNELL UNIVERSITY TO EXPAND UNDERSTANDING OF THE PHYTO-
22 PHTHORA CAPSICI PATHOGEN AS WELL AS OTHER SPECIES OF PHYTOPHTHORA DEEMED
23 TO BE A THREAT BY THE COMMISSIONER. FUNDS MADE AVAILABLE THROUGH APPRO-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 PRIATION TO THE PHYTOPHTHORA RESEARCH PROGRAM SHALL BE UTILIZED TO
2 DEVELOP AN APPLIED RESEARCH FACILITY FOR THE ADVANCEMENT OF PHYTOPHTHORA
3 RESEARCH. SUCH FACILITY SHALL INCLUDE QUARANTINED FIELD SITES TO BE
4 LOCATED AWAY FROM PRIVATELY OR PUBLICLY OWNED FIELDS USED IN THE
5 PRODUCTION OF ANY PRODUCT SUSCEPTIBLE OR CAPABLE OF HOSTING, TRANSMIT-
6 TING OR OTHERWISE CONTRIBUTING TO THE PROLIFERATION OF THE PHYTOPHTHORA
7 BLIGHT PATHOGEN. THE PHYTOPHTHORA RESEARCH PERFORMED SHALL INCLUDE, BUT
8 NOT BE LIMITED TO:

9 (A) IDENTIFICATION OF DISEASE-RESISTANT CULTIVARS AND CONTROL STRATE-
10 GIES FOUND TO BE EFFECTIVE IN THIS STATE;

11 (B) BASIC RESEARCH TO UNDERSTAND INTERACTIONS THAT OCCUR BETWEEN THE
12 PHYTOPHTHORA CAPSICI PATHOGEN AS WELL AS OTHER PHYTOPHTHORA SPECIES
13 DEEMED A THREAT AND SUSCEPTIBLE HOST PLANTS; AND

14 (C) DEVELOPMENT OF A DISEASE MANAGEMENT STRATEGY THAT INTEGRATES
15 INFORMATION GAINED THROUGH APPLIED AND BASIC RESEARCH.

16 S 2. The sum of two million twenty thousand dollars (\$2,020,000), or
17 so much thereof as may be necessary, is hereby appropriated to the
18 department of agriculture and markets out of any moneys in the state
19 treasury in the general fund to the credit of the state purposes
20 account, not otherwise appropriated, for the purpose of providing funds
21 to the Phythophthora research program established pursuant to section
22 169-e of the agriculture and markets law, as added by section one of
23 this act. Such moneys shall be disbursed over a period of ten years as
24 follows: three hundred ten thousand dollars (\$310,000) in the first year
25 and one hundred ninety thousand dollars (\$190,000) in each of the nine
26 years following the first year. Such moneys shall be payable to the
27 department of agriculture and markets on audit and warrant of the state
28 comptroller on vouchers certified or approved by the commissioner of
29 agriculture and markets.

30 S 3. This act shall take effect immediately.