S T A T E O F N E W Y O R K

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:

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

S 169-E. PHYTOPHTHORA RESEARCH PROGRAM. 1. LEGISLATIVE INTENT. PHYTOPHTHORA BLIGHT, CAUSED BY THE PATHOGEN PHYTOPHTHORA CAPSICI, IS A DEVASTATING DISEASE OF MANY SOLANACEOUS (PEPPER, EGGPLANT AND TOMATO) AND CUCURBIT (SQUASH, MELON, CUCUMBER, GOURD AND PUMPKIN) CROPS. THE INCIDENCE OF PHYTOPHTHORA BLIGHT HAS INCREASED AND CAUSED SEVERE LOSSES IN SHORT PERIODS OF TIME ACROSS NEW YORK STATE IN RECENT YEARS, MAKING GROWERS HIGHLY VULNERABLE TO EXTENSIVE CROP LOSS AND ECONOMIC HARDSHIP. BY EXTENSION, FOOD PROCESSING AND MANUFACTURING INDUSTRIES THAT REGULARLY PURCHASE LARGE VOLUMES OF NEW YORK-GROWN PRODUCE COULD BE NEGATIVELY IMPACTED AND SUBSEQUENTLY SEEK OUT-OF-STATE INGREDIENTS FOR THEIR PRODUCTS. THE LEGISLATURE FINDS THAT A TARGETED DISEASE MANAGEMENT RESEARCH PROGRAM TO COMBAT AND CONTROL PHYTOPHTHORA BLIGHT IS NECESSARY TO ENSURE THE CONTINUED VIABILITY OF THE STATE'S AGRICULTURAL PRODUCERS AND MANUFACTURERS, SERVING AS A FOUNDATION FOR THE DEVELOPMENT OF A MULTI-COMPONENT DISEASE MANAGEMENT STRATEGY FOR GROWERS OF SOLANACEOUS AND CUCURBIT CROPS IN THE STATE.

2. PHYTOPHTHORA RESEARCH PROGRAM. THE PHYTOPHTHORA RESEARCH PROGRAM IS HEREBY ESTABLISHED AT THE NEW YORK STATE COLLEGE OF AGRICULTURE AND LIFE SCIENCES AT CORNELL UNIVERSITY TO EXPAND UNDERSTANDING OF THE PHYTOPHTHORA CAPSICI PATHOGEN AS WELL AS OTHER SPECIES OF PHYTOPHTHORA DEEMED 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.

LBD07210-01-9

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

(A) IDENTIFICATION OF DISEASE-RESISTANT CULTIVARS AND CONTROL STRATEGIES FOUND TO BE EFFECTIVE IN THIS STATE;

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

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

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

S 3. This act shall take effect immediately.