

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

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 THE STATE IN RECENT YEARS, MAKING GROWERS  
9 HIGHLY VULNERABLE TO EXTENSIVE CROP LOSS AND ECONOMIC HARDSHIP. BY  
10 EXTENSION, FOOD PROCESSING AND MANUFACTURING INDUSTRIES THAT REGULARLY  
11 PURCHASE LARGE VOLUMES OF PRODUCE GROWN IN THIS STATE COULD BE NEGATIVE-  
12 LY 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

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

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

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

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

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

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

31 S 3. This act shall take effect immediately.