

1 1. TO DESIGNATE CERTAIN STAFF TO ADMINISTER THE PROGRAM, INCLUDING A
2 PROGRAM ADMINISTRATOR, TO COORDINATE SUCH PROGRAM, WITH A FOCUS ON
3 CONFIDENTIALITY, BETWEEN THE DEPARTMENT, THE DEPARTMENT OF AGRICULTURE
4 AND MARKETS, ANY COMPANY WITH WHICH THE DEPARTMENT HAS CONTRACTED TO
5 PROVIDE COLLECTION AND DISPOSAL SERVICES, PUBLIC AND PRIVATE AGENCIES
6 AND FARMERS;

7 2. TO CONTRACT WITH HAZARDOUS WASTE COLLECTION COMPANIES, PESTICIDE
8 COLLECTION COMPANIES OR OTHER QUALIFIED COMPANIES TO PROVIDE COLLECTION
9 AND DISPOSAL SERVICES;

10 3. TO PROVIDE OVERSIGHT OF ANY COMPANY WITH WHICH THE DEPARTMENT HAS
11 CONTRACTED TO PROVIDE COLLECTION AND DISPOSAL SERVICES;

12 4. TO PROVIDE A PESTICIDE CONTAINER RECYCLING PROGRAM FOR CONTAINERS
13 OF COLLECTED PESTICIDES AND FERTILIZERS CONTAINING PESTICIDES;

14 5. TO PROVIDE SCHEDULING FOR EACH COUNTY OF THE STATE FOR THE
15 COLLECTION AND DISPOSAL OF AGRICHEMICALS, PESTICIDES AND FERTILIZERS
16 CONTAINING PESTICIDES;

17 6. TO GRANT ANY WAIVERS NECESSARY UNDER THE STANDARDS FOR UNIVERSAL
18 WASTE FOR COLLECTION AND TRANSPORTATION OF PESTICIDES AND FERTILIZERS
19 CONTAINING PESTICIDES;

20 7. TO COORDINATE WITH COUNTY CORNELL COOPERATIVE EXTENSION OFFICES,
21 SOIL AND WATER CONSERVATION DISTRICTS, AND FARM ORGANIZATIONS IN THE
22 ADMINISTRATION, SCHEDULING AND EFFORTS TO ENSURE PARTICIPATION AND
23 CONFIDENTIALITY OF SUCH PROGRAM; AND

24 8. TO PROMULGATE ANY RULES AND REGULATIONS NECESSARY FOR THE IMPLEMEN-
25 TATION OF THIS TITLE.

26 S 33-0805. POWERS AND DUTIES OF THE DEPARTMENT OF AGRICULTURE AND
27 MARKETS.

28 THE DEPARTMENT OF AGRICULTURE AND MARKETS, IN ADDITION TO ANY OTHER
29 POWERS GRANTED AND DUTIES REQUIRED BY ANY OTHER PROVISION OF LAW, SHALL
30 HAVE THE FOLLOWING POWERS AND DUTIES WITH RESPECT TO THE FARM PESTICIDE
31 COLLECTION PROGRAM:

32 1. TO CONDUCT OUTREACH, EDUCATION AND PUBLICITY REGARDING SUCH PROGRAM
33 WITHIN EACH COUNTY OF THE STATE TO INCREASE AWARENESS OF SUCH PROGRAM;

34 2. TO ENCOURAGE FARMERS TO PARTICIPATE IN SUCH PROGRAM;

35 3. TO DEVELOP AND IMPLEMENT, WITH A FOCUS ON CONFIDENTIALITY, NOTIFI-
36 CATION AND PRE-REGISTRATION PROCEDURES FOR SUCH PROGRAM IN ORDER TO
37 FACILITATE PARTICIPATION IN SUCH PROGRAM;

38 4. TO APPOINT LOCAL AGENTS TO INVENTORY, WITH A FOCUS ON CONFIDENTIAL-
39 ITY, PESTICIDES, FERTILIZERS CONTAINING PESTICIDES, AND PESTICIDE
40 CONTAINERS AT PARTICIPATING FARMS PRIOR TO THEIR COLLECTION AND
41 DISPOSAL;

42 5. TO COORDINATE WITH COUNTY CORNELL COOPERATIVE EXTENSION OFFICES,
43 SOIL AND WATER CONSERVATION DISTRICTS, AND FARM ORGANIZATIONS IN THE
44 OUTREACH, EDUCATION, PUBLICITY AND EFFORTS TO ENSURE PARTICIPATION AND
45 CONFIDENTIALITY OF SUCH PROGRAM; AND

46 6. TO PROMULGATE ANY RULES AND REGULATIONS NECESSARY FOR THE IMPLEMEN-
47 TATION OF THIS TITLE.

48 S 2. Section 33-0304 of the environmental conservation law, as amended
49 by section 4 of part YY of chapter 59 of the laws of 2009, is amended to
50 read as follows:

51 S 33-0304. Fees.

52 [All] EXCEPT AS PROVIDED IN SECTION 33-0705 OF THIS ARTICLE, ALL fees
53 collected pursuant to this article shall be deposited into the environ-
54 mental conservation special revenue fund to the credit of the environ-
55 mental regulatory account; provided, however, that the first five
56 million dollars collected pursuant to this article shall be deposited

1 into the environmental protection fund established pursuant to section
2 ninety-two-s of the state finance law.

3 S 3. Section 33-0705 of the environmental conservation law, as amended
4 by section 1 of part H of chapter 57 of the laws of 2014, is amended to
5 read as follows:

6 S 33-0705. Fee for registration.

7 The applicant for registration shall pay a fee as follows:

8 a. On or before July 1, 2017, six hundred FIFTY dollars for each
9 pesticide proposed to be registered, provided that the applicant has
10 submitted to the department proof in the form of a federal income tax
11 return for the previous year showing gross annual sales, for federal
12 income tax purposes, of three million five hundred thousand dollars or
13 less;

14 b. On or before July 1, 2017, for all others, six hundred [twenty]
15 SEVENTY dollars for each pesticide proposed to be registered;

16 c. After July 1, 2017, [fifty] ONE HUNDRED dollars for each pesticide
17 proposed to be registered.

18 FIFTY DOLLARS OF EACH REGISTRATION FEE PAID PURSUANT TO THIS SECTION
19 SHALL BE DEPOSITED INTO THE FARM PESTICIDE COLLECTION PROGRAM FUND
20 ESTABLISHED PURSUANT TO SECTION NINETY-NINE-W OF THE STATE FINANCE LAW
21 FOR THE PURPOSE OF ADMINISTERING THE FARM PESTICIDE COLLECTION PROGRAM
22 ESTABLISHED PURSUANT TO TITLE EIGHT OF THIS ARTICLE.

23 S 4. Section 16 of the agriculture and markets law is amended by
24 adding a new subdivision 45 to read as follows:

25 45. JOINTLY DEVELOP, IMPLEMENT AND OPERATE A FARM PESTICIDE COLLECTION
26 PROGRAM WITH THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO
27 TITLE EIGHT OF ARTICLE THIRTY-THREE OF THE ENVIRONMENTAL CONSERVATION
28 LAW.

29 S 5. The state finance law is amended by adding a new section 99-w to
30 read as follows:

31 S 99-W. FARM PESTICIDE COLLECTION PROGRAM FUND. 1. THERE IS HEREBY
32 ESTABLISHED IN THE JOINT CUSTODY OF THE COMMISSIONER OF TAXATION AND
33 FINANCE AND THE COMPTROLLER, A SPECIAL FUND TO BE KNOWN AS THE "FARM
34 PESTICIDE COLLECTION PROGRAM FUND".

35 2. SUCH FUND SHALL CONSIST OF ALL REVENUES RECEIVED BY THE DEPARTMENT
36 OF TAXATION AND FINANCE, PURSUANT TO THE PROVISIONS OF SECTION 33-0705
37 OF THE ENVIRONMENTAL CONSERVATION LAW AND ALL OTHER MONEYS APPROPRIATED,
38 CREDITED, OR TRANSFERRED THERETO FROM ANY OTHER FUND OR SOURCE PURSUANT
39 TO LAW.

40 3. MONEYS OF SUCH FUND SHALL BE KEPT SEPARATE AND SHALL NOT BE COMMUN-
41 GLED WITH ANY OTHER MONEYS IN THE CUSTODY OF THE COMMISSIONER OF TAXA-
42 TION AND FINANCE AND THE COMPTROLLER.

43 4. MONEYS IN SUCH FUND SHALL BE EXPENDED ONLY FOR THE ADMINISTRATION
44 OF THE FARM PESTICIDE COLLECTION PROGRAM ESTABLISHED PURSUANT TO TITLE
45 EIGHT OF ARTICLE THIRTY-THREE OF THE ENVIRONMENTAL CONSERVATION LAW.

46 5. ALL PAYMENTS FROM SUCH FUND SHALL BE MADE BY THE DEPARTMENT OF
47 TAXATION AND FINANCE AFTER AUDIT AND WARRANT OF THE COMPTROLLER ON
48 VOUCHERS APPROVED BY THE COMMISSIONER OF ENVIRONMENTAL CONSERVATION.

49 S 6. This act shall take effect on the one hundred eightieth day after
50 it shall have become a law. Effective immediately, the addition, amend-
51 ment and/or repeal of any rule or regulation necessary for the implemen-
52 tation of this act on its effective date is authorized to be made on or
53 before such effective date.