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

5472--A

2015-2016 Regular Sessions

I N  S E N A T E

May 14, 2015

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to instituting a moratorium on the distribution, sale or use of glyphosate until a task force completes a study regarding the safety, alternatives and use of such compound

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

Section 1. The environmental conservation law is amended by adding a new section 37-0115 to read as follows:

S 37-0115. PROHIBITION AGAINST USE OF GLYPHOSATE.

1. NO PERSON, FIRM, PARTNERSHIP, ASSOCIATION, LIMITED LIABILITY COMPANY OR CORPORATION SHALL DISTRIBUTE, SELL, OFFER FOR SALE OR USE GLYPHOSATE OR ANY PRODUCTS CONTAINING GLYPHOSATE WITHIN NEW YORK STATE UNTIL JULY FIRST, TWO THOUSAND TWENTY-ONE.

2. FOR THE PURPOSE OF THIS SECTION, "GLYPHOSATE" SHALL MEAN A SYNTHETIC COMPOUND THAT IS A NON-SELECTIVE SYSTEMIC HERBICIDE, ALSO KNOWN AS N-(PHOSPHONOMETHYL) GLYCINE WITH A CHEMICAL FORMULA OF C3H8NO5P.

3. THERE SHALL BE ESTABLISHED WITHIN THE DEPARTMENT A GLYPHOSATE TASK FORCE WHICH SHALL CONSIST OF THE FOLLOWING MEMBERS:

(A) THE COMMISSIONER OF THE DEPARTMENT, OR THE COMMISSIONER'S DESIGNEE.

(B) THE COMMISSIONER OF THE DEPARTMENT OF HEALTH, OR SUCH COMMISSIONER'S DESIGNEE.

(C) THE COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE AND MARKETS, OR SUCH COMMISSIONER'S DESIGNEE.

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

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(D) A REPRESENTATIVE FROM THE STATE UNIVERSITY OF NEW YORK'S COLLEGE OF ENVIRONMENTAL SCIENCE AND FORESTRY, APPOINTED BY THE GOVERNOR.

(E) A REPRESENTATIVE FROM THE NEW YORK FARM BUREAU, APPOINTED BY THE GOVERNOR.

(F) A REPRESENTATIVE FROM THE PESTICIDE INDUSTRY, APPOINTED BY THE GOVERNOR.

(G) A REPRESENTATIVE FROM AN ENVIRONMENTAL ORGANIZATION, APPOINTED BY THE GOVERNOR.

4. THE TASK FORCE SHALL:

(A) RESEARCH AND IDENTIFY ANY HEALTH AND SAFETY CONCERNS ASSOCIATED WITH THE USE OF GLYPHOSATE.

(B) IDENTIFY SAFE ALTERNATIVES TO GLYPHOSATE.

(C) DETERMINE WHETHER THE USE OF GLYPHOSATE SHOULD BE PERMITTED IN THE STATE.

(D) IF THE USE OF GLYPHOSATE SHOULD BE PERMITTED, IDENTIFY RECOMMENDED SAFE PRACTICES ASSOCIATED WITH THE USE OF GLYPHOSATE.

5. THE MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT COMPENSATION, EXCEPT MEMBERS SHALL BE ALLOWED THEIR NECESSARY AND ACTUAL EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES UNDER THIS SECTION.

6. THE MEMBERS OF THE TASK FORCE SHALL SUBMIT A REPORT OF THEIR FINDINGS AND RECOMMENDATIONS, INCLUDING ANY PROPOSED LEGISLATION, TO THE GOVERNOR AND LEGISLATURE NO LATER THAN JANUARY FIRST, TWO THOUSAND TWENTY-ONE.

7. THE GLYPHOSATE TASK FORCE SHALL CEASE TO EXIST ON JUNE THIRTIETH, TWO THOUSAND TWENTY-ONE.

S 2. This act shall take effect immediately.