

STATE OF NEW YORK

6101--B

2019-2020 Regular Sessions

IN SENATE

May 16, 2019

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to establish the New York state reforest, restore and sustainable agriculture commission

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative intent. The state of New York, the nation and
2 the world are facing a climate emergency. There has been a dramatic loss
3 of forests and ecological habitat worldwide. A summary report issued in
4 May 2019 by the intergovernmental science-policy platform on biodiversi-
5 ty and ecosystem services of the United Nations concludes that human
6 activity is leading an unprecedented number of species into extinction
7 which are critical for human survival. Human-made climate change is a
8 result of increased greenhouse gases, including carbon dioxide. Forests
9 and other ecosystems act as natural carbon sinks, which absorb carbon
10 and reduce the impact of climate change. The commission shall seek to
11 find out the extent of such loss and to make recommendations for their
12 preservation, conservation, mitigation, restoration and expansion for
13 the purpose of stopping climate catastrophe, ensuring clean water, air
14 and land for the public health and strong economy, promoting outdoor
15 recreation and preserving our natural resources and cultural heritage.

16 § 2. A temporary state commission, to be known as the New York state
17 reforest, restore and sustainable agriculture commission, hereafter
18 referred to as the commission, is hereby created to evaluate and make
19 recommendations concerning the reforestation and restoration of forests
20 and ecological habitats in the state of New York.

21 § 3. (a) The commission shall consist of seventeen members, to be
22 appointed as follows: four members to be appointed by the governor;

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

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1 three members to be appointed by the temporary president of the senate;
2 three members to be appointed by the speaker of the assembly; one member
3 to be appointed by the minority leader of the senate; one member to be
4 appointed by the minority leader of the assembly; one member to be
5 appointed by the commissioner of environmental conservation or his or
6 her designee; one member to be appointed by the commissioner of agricul-
7 ture and markets or his or her designee; one member to be appointed by
8 the commissioner of the office of parks, recreation and historic preser-
9 vation or his or her designee; one member to be appointed by the execu-
10 tive director of the Adirondack park agency or his or her designee; and
11 one member to be appointed by the director of the canal corporation or
12 his or her designee. The governor shall designate the chairperson of
13 the commission. Vacancies in the membership of the commission and among
14 its officers shall be filled in the manner provided for original
15 appointments or designations.

16 (b) The members of the commission shall receive no compensation for
17 their services, but shall be allowed their actual and necessary expenses
18 incurred in the performance of their duties under this act. The commis-
19 sion may employ and at pleasure remove such personnel as it may deem
20 necessary for the performance of its functions and fix their compen-
21 sation within the amounts made available by appropriation therefor.

22 (c) The department of environmental conservation shall provide the
23 commission such facilities, assistance, and data as will enable the
24 commission to carry out its powers and duties. Additionally, all other
25 departments or agencies of the state or subdivisions thereof shall, at
26 the request of the chairperson, provide the commission such facilities,
27 assistance, and data as will enable the commission to carry out its
28 powers and duties.

29 § 4. The commission shall evaluate and make recommendations on the
30 following three major areas:

31 (a) Forests and ecological habitats. Explore the extent of loss or
32 degradation of forests and ecological habitats, including wildlife, both
33 flora and fauna in the state of New York and find ways to mitigate,
34 restore and prevent future loss and degradation of such forests and
35 habitats.

36 (b) Preservation and restoration of other natural resources and
37 ecological habitats, including both flora and fauna wildlife, in the
38 state of New York. The commission shall research the loss and degrada-
39 tion of natural resources other than forests, including wetlands,
40 streams, rivers, lakes, ponds, coastlines, waterways, grasslands and
41 open spaces generally. Open space shall be defined as an area of land or
42 water that either remains in its natural state or is used for agricul-
43 ture, free from intensive development for residential, commercial,
44 industrial or institutional use. Open space can be publicly or privately
45 owned and shall include agricultural and forest land, undeveloped coas-
46 tal and estuarine lands, undeveloped scenic lands, public parks and
47 preserves. It shall also include bodies of water such as lakes and bays.

48 (c) Sustainable agriculture. The commission shall investigate various
49 forms of sustainable agriculture as defined in 7 USC 3103 as an inte-
50 grated system of plant and animal production practices having a site-
51 specific application that will over the long term satisfy human food and
52 fiber needs, enhance environmental quality and the natural resource base
53 upon which the agricultural economy depends, make efficient use of
54 nonrenewable resources and on-farm resources and integrate, where appro-
55 priate, natural biological cycles and controls, sustain the economic
56 viability of farm operations and enhance the quality of life for farmers

1 and society overall. The basic goals of sustainable agriculture shall be
2 environmental health, economic profitability, and social and economic
3 equity, seek to better the conditions and treatment of farmworkers,
4 including migrant workers, improve the humane treatment of farm animals,
5 and explore "carbon farming", which shall mean farming methods which
6 reduce greenhouse gas emissions and/or capture and hold carbon in vege-
7 tation and soils. Carbon farming shall cover small changes in land
8 management, such as introducing no-till cropping, stubble retention,
9 agroforestry, or methane-reducing feed supplements.

10 § 5. (a) For the accomplishment of its purposes, the commission may
11 meet and hold public and/or private hearings within or without the
12 state, and shall have all the powers of a legislative committee pursuant
13 to the legislative law. The commission is authorized and empowered to
14 undertake any studies, inquiries, surveys or analyses it may deem rele-
15 vant through its own personnel or in cooperation with or by agreement
16 with any other public or private agency.

17 (b) To the maximum extent feasible, the commission may request and
18 shall be entitled to receive and shall utilize and be provided with such
19 facilities, resources and data from any court in the state and from any
20 subdivision, department, board, bureau, commission, office, agency or
21 other instrumentality of the state or of any political subdivision ther-
22 eof as it deems necessary or desirable for the proper execution of its
23 powers and duties and to effectuate the purposes set forth in this act.

24 (c) The commission is hereby authorized and empowered to enter into
25 any agreements and to do and perform any acts that may be necessary,
26 desirable or proper to carry out the purposes and objectives of this
27 act.

28 § 6. The commission shall make recommendations and a report of its
29 findings. The commission shall submit such recommendations and report
30 developed by it relating to issues involving: (a) the reforestation and
31 restoration of forests and ecological habitats in the state of New York;
32 (b) the preservation and restoration of other natural resources and
33 ecological habitats, including wildlife, both flora and fauna, in the
34 state of New York; and (c) the promotion of sustainable agriculture in
35 the state of New York. The report shall include any recommendations for
36 legislative action as it may deem necessary and appropriate, to the
37 governor, the temporary president of the senate and the speaker of the
38 assembly no later than December 1, 2020.

39 § 7. This act shall take effect immediately.