

STATE OF NEW YORK

8204--A

2023-2024 Regular Sessions

IN ASSEMBLY

October 27, 2023

Introduced by M. of A. KELLES, SIMON -- read once and referred to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, the education law and the highway law, in relation to enacting the "pollinator promotion act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "pollinator promotion act".

3 § 2. Subdivision 1 of section 3-0301 of the environmental conservation
4 law is amended by adding two new paragraphs jj and jjj to read as
5 follows:

6 jj. Promote the health and viability of pollinators in the state by
7 supporting habitat protection, promoting the state's native pollinators,
8 and increasing public awareness of the importance of pollinators.

9 jjj. Ensure that on any lands owned and actively maintained by the
10 state, including but not limited to state parks, tidal wetlands areas,
11 state forests, historic park preserves, unique areas, waterway access
12 sites, historic parks, wildlife management areas, golf courses, boat
13 launch sites, campgrounds, primitive areas, wild forests, the agencies
14 in charge of such maintenance shall incorporate pollinator-friendly
15 landscaping practices appropriate to such lands, including but not
16 limited to creating or reestablishing pollinator friendly habitats by
17 increasing the abundance of native plants on such lands, adjusting and
18 reducing mowing practices and the use of pesticides in favor of non-
19 chemical pest management methods, and adding signage to public lands
20 educating the public about the use of such pollinator friendly prac-
21 tices; provided, however, that this paragraph shall not apply to any

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

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1 lands where such practices are deemed impractical by the department or
2 other appropriate agency, that have a dedicated use incompatible with
3 this paragraph, or that are otherwise protected from active maintenance
4 by legal agreement or the state constitution;

5 § 3. Paragraphs h and i of subdivision 1 of section 54-1523 of the
6 environmental conservation law, as amended by section 1 of part KKK of
7 chapter 58 of the laws of 2022, are amended and a new paragraph j is
8 added to read as follows:

9 h. to establish and implement easily-replicated renewable energy
10 projects, including solar arrays, heat pumps and wind turbines in public
11 low-income housing in suburban, urban and rural areas; [~~and~~]

12 i. land acquisition, including but not limited to flood mitigation and
13 coastal riparian resiliency; provided, however, no monies shall be
14 expended for acquisition by eminent domain[~~-~~]; ~~and~~

15 j. climate-resilient landscaping and land maintenance and land mainte-
16 nance such as connecting green spaces, use of native species, and polli-
17 nator-friendly planting.

18 § 4. The education law is amended by adding a new section 235-c to
19 read as follows:

20 § 235-c. Promotion of pollinator health. Each state university of New
21 York campus shall consider policies to promote pollinator health and
22 expand supportive habitats. Possible considerations include guidelines
23 for:

24 1. establishing a standing committee of students, faculty, and staff,
25 including a member of the grounds or landscaping departments, to evalu-
26 ate and make recommendations regarding pollinator habitats on campus;

27 2. increasing the abundance of native plants and supportive habitats
28 on campus;

29 3. adopting an integrated pest management plan to prevent pest prob-
30 lems, reduce pesticide use, and expand the use of non-chemical pest
31 management methods;

32 4. offering educational opportunities as appropriate for students and
33 community members about native pollinators and pollinator conservation;
34 and

35 5. offering yearly service-learning projects on campus to enhance
36 pollinator habitats.

37 § 5. The education law is amended by adding a new section 409-n to
38 read as follows:

39 § 409-n. Pollinator friendly landscaping. The department, in consulta-
40 tion with the department of environmental conservation, shall develop
41 guidelines for school districts for pollinator friendly landscaping and
42 groundskeeping practices, including, but not limited to, the use of
43 native plants on school grounds, incorporating pollinator-friendly prac-
44 tices into school gardens, and reducing the use of pesticides on school
45 grounds.

46 § 6. Section 19-a of the highway law, as added by chapter 763 of the
47 laws of 2022, is amended to read as follows:

48 § 19-a. Pollinator friendly plant species; medians and verges. 1. The
49 commissioner shall, in cooperation with the department of environmental
50 conservation, develop policies and procedures to encourage the use of
51 native plant species that are pollinator friendly in medians and verges
52 along highways under the jurisdiction of the department and to encourage
53 and provide technical assistance to counties, cities, towns and villages
54 in the use of native plant species that are pollinator friendly in medi-
55 ans and verges along highways under the respective jurisdiction of such
56 counties, cities, towns and villages.

1 2. The commissioner shall develop policies and procedures for mowing
2 medians and verges located along highways on the state system of high-
3 ways that will, wherever feasible and consistent with standards of safe-
4 ty for motor vehicle operators, cyclists, and pedestrians, reduce the
5 amount of area within such highway medians and verges that is mowed.

6 § 7. This act shall take effect on the ninetieth day after it shall
7 have become a law.