STATE OF NEW YORK

9043

IN ASSEMBLY

February 5, 2024

Introduced by M. of A. KELLES -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to establishing a native plant seed supply, development and enhancement program

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

Section 1. The agriculture and markets law is amended by adding a new section 142-b to read as follows:

§ 142-b. The New York native plant seed supply, development and enhancement program. 1. The commissioners of the department, the department of environmental conservation, and the department of economic development shall establish a New York native plant seed supply, development and enhancement program.

2. The purpose of such program shall be to:

(a) increase the production of native plant seeds at plant nurseries in the state;

(b) increase the use of native plant seeds in public land management, roadside landscaping, reforestation, pollinator promotion, habitat restoration, regular groundskeeping and maintenance on state lands, and other projects as determined by the commissioners of the department, the department of environmental conservation, and economic development; and

(c) ensure that native plant seeds are commercially available in the state at a reasonable cost and in adequate supply.

3. No later than one year after the effective date of this section, the commissioners shall promulgate rules and regulations for the establishment of the program, including an initial list of plants whose seeds are eligible for consideration to participate in such program.

4. Funds for the program shall be subject to appropriation and may be used to establish growing operations managed by the state or to support private entities that can increase the state's native plant seed supply.

5. As used in this section, "native plant seed" means a germinating seed, or other plant part, used to propagate a plant, that originates from a plant species that is indigenous to New York state.

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

LBD13584-02-3

6. Whenever possible and practicable, the state shall make use of native plant seeds when engaging in public land management, roadside landscaping, reforestation, pollinator promotion, habitat restoration, regular groundskeeping and maintenance on state lands, and other projects as determined by the commissioners of the department, the department of environmental conservation, and the department of economic development.

§ 2. This act shall take effect immediately.