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:

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

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

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

jjj. Ensure that on any lands owned and actively maintained by the state, including but not limited to state parks, tidal wetlands areas, state forests, historic park preserves, unique areas, waterway access sites, historic parks, wildlife management areas, golf courses, boat launch sites, campgrounds, primitive areas, wild forests, the agencies in charge of such maintenance shall incorporate pollinator-friendly landscaping practices appropriate to such lands, including but not limited to creating or reestablishing pollinator friendly habitats by increasing the abundance of native plants on such lands, adjusting and reducing mowing practices and the use of pesticides in favor of non-chemical pest management methods, and adding signage to public lands educating the public about the use of such pollinator friendly practices; 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.

LBD11667-06-4

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

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

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

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

j. climate-resilient landscaping and land maintenance and land maintenance such as connecting green spaces, use of native species, and pollinator-friendly planting.

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

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

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

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

3. adopting an integrated pest management plan to prevent pest problems, reduce pesticide use, and expand the use of non-chemical pest management methods;

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

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

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

§ 409-n. Pollinator friendly landscaping. The department, in consultation with the department of environmental conservation, shall develop guidelines for school districts for pollinator friendly landscaping and groundskeeping practices, including, but not limited to, the use of native plants on school grounds, incorporating pollinator-friendly practices into school gardens, and reducing the use of pesticides on school grounds.

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

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

2. The commissioner shall develop policies and procedures for mowing medians **and verges** located along highways on the state system of highways that will, wherever feasible and consistent with standards of safety for motor vehicle operators, cyclists, and pedestrians, reduce the amount of area within such highway medians **and verges** that is mowed.

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