

3657--C

2009-2010 Regular Sessions

I N   S E N A T E

March 27, 2009

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Introduced by Sens. VALESKY, THOMPSON -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to the New York state oil, natural gas and solution mining advisory board

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

1     Section 1. The section heading and subdivisions 1 and 2 of section  
2     23-0311 of the environmental conservation law, the section heading as  
3     added by chapter 846 of the laws of 1981 and subdivisions 1 and 2 as  
4     amended by chapter 83 of the laws of 1995, are amended and a new subdi-  
5     vision 2-a is added to read as follows:  
6     New York state oil, NATURAL gas and solution mining advisory board.  
7     1. A [thirteen] SIXTEEN member New York state oil, NATURAL gas and  
8     solution mining advisory board shall be created within the department to  
9     advise and assist the commissioner and other state agencies on activ-  
10    ities and policies related to the development, operation and regulation  
11    of the oil, NATURAL gas and solution mining industry. THIS SHALL  
12    INCLUDE, BUT NOT BE LIMITED TO, DISCUSSIONS AND RECOMMENDATIONS ON THE  
13    BEST PRACTICES OF THE INDUSTRY, PROTECTION OF WATER SUPPLIES AND RELATED  
14    TOPICS. The members shall be appointed by the governor[, with a majority  
15    representative of the respective industries] AND SHALL BE COMPRISED OF  
16    SIX REPRESENTATIVES OF THE OIL, NATURAL GAS AND SOLUTION MINING INDUS-  
17    TRIES, PROVIDED, HOWEVER, THAT AT LEAST TWO OF THE MEMBERS ARE EITHER

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

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1 (A) LANDOWNERS WITH A CURRENT NATURAL GAS OR OIL LEASE OR (B) MUNICIPAL  
2 OFFICERS, AS DEFINED IN SECTION EIGHT HUNDRED OF THE GENERAL MUNICIPAL  
3 LAW, OF A MUNICIPALITY IN WHICH THERE IS CURRENT OIL OR NATURAL GAS  
4 EXPLORATION OR DRILLING BEING PERFORMED AND (C) MEMBERS OF CITIZENS'  
5 ORGANIZATIONS CONCERNING OIL OR NATURAL GAS EXPLORATION OR DRILLING.  
6 Three of the members shall be appointed upon recommendation of the  
7 majority leader of the senate[and], three of the members shall be  
8 appointed upon recommendation of the speaker of the assembly, ONE MEMBER  
9 SHALL BE APPOINTED UPON RECOMMENDATION OF THE MINORITY LEADER OF THE  
10 SENATE AND ONE MEMBER SHALL BE APPOINTED UPON RECOMMENDATION OF THE  
11 MINORITY LEADER OF THE ASSEMBLY. Appointments shall be made for three-  
12 year terms. Members shall continue in office until their successors have  
13 been appointed and qualified. The governor shall select a chair from  
14 among the members. The board shall meet at least twice yearly and the  
15 members shall receive reimbursement for expenses. The department shall  
16 provide the board with secretarial services.

17 2. The chair of the public service commission, the president of the  
18 New York state energy research and development authority, THE COMMIS-  
19 SIONER OF THE DEPARTMENT OF AGRICULTURE AND MARKETS, the state geolo-  
20 gist, and the commissioner shall serve the board in an ex-officio capac-  
21 ity.

22 2-A. THE BOARD SHALL ISSUE A REPORT, NOT LATER THAN DECEMBER FIRST,  
23 TWO THOUSAND ELEVEN, CONTAINING RECOMMENDATIONS ON INDUSTRY BEST PRAC-  
24 TICES AND PROTECTION OF WATER SUPPLIES TO THE GOVERNOR, THE TEMPORARY  
25 PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE ASSEMBLY.

26 S 2. This act shall take effect immediately.