

1 TRAINING OR EXPERIENCE HAS EXPERTISE IN PUBLIC HEALTH MATTERS; AN INDI-
2 VIDUAL WHO BY PROFESSIONAL TRAINING OR EXPERIENCE HAS EXPERTISE IN PEST
3 MANAGEMENT TECHNIQUES; A REPRESENTATIVE FROM THE PESTICIDE APPLICATION
4 INDUSTRY; A REPRESENTATIVE FROM AN ORGANIZATION CONCERNED WITH TENANTS
5 RIGHTS IN URBAN AREAS; AND A REPRESENTATIVE OF AN ORGANIZATION FOCUSED
6 ON ENVIRONMENTAL JUSTICE ISSUES.

7 3. THE COMMISSIONER AND THE COMMISSIONER OF HEALTH, OR THEIR DESIG-
8 NEES, SHALL SERVE AS THE CO-CHAIRS OF THE BOARD.

9 4. THE MEMBERS OF THE BOARD SHALL RECEIVE NO COMPENSATION FOR THEIR
10 SERVICES, BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES
11 INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

12 S 33-1703. FUNCTIONS, POWERS, AND DUTIES.

13 1. THE BOARD SHALL, AT A MINIMUM:

14 A. EXAMINE PATTERNS OF PESTICIDE USE IN URBAN AREAS, INCLUDING THE
15 AMOUNT OF PESTICIDES USED RELATIVE TO OTHER AREAS, THE PARTICULAR TYPES
16 OF PESTICIDES USED, THE TARGET PESTS BEING ADDRESSED, AND PESTICIDE USE
17 IN PUBLIC OR ASSISTED HOUSING AND SCHOOLS;

18 B. RESEARCH NON-TOXIC AND LEAST TOXIC ALTERNATIVE MEANS OF PEST
19 MANAGEMENT IN URBAN AREAS, INCLUDING INVESTIGATING PRIVATE AND PUBLIC
20 PILOT PROJECTS IN NEW YORK STATE AND OTHER STATES WHOSE PURPOSE IS TO
21 IMPLEMENT PEST MANAGEMENT STRATEGIES THAT DO NOT RELY ON HAZARDOUS
22 PESTICIDES BUT INSTEAD RELY ON PHYSICAL, MECHANICAL, AND BIOLOGICAL
23 CONTROL METHODS, WITH LEAST-TOXIC PESTICIDES AS A METHOD OF LAST RESORT;
24 AND

25 C. SPECIFICALLY EXAMINE THE USE AND SALE OF ILLEGAL PESTICIDES IN
26 URBAN AREAS.

27 D. THE BOARD, HOWEVER, SHALL NOT MAKE RECOMMENDATIONS INCONSISTENT
28 WITH FDA APPROVED PRESCRIPTION THERAPIES WHICH ALSO HAPPEN TO HAVE
29 PESTICIDAL USES.

30 2. THE BOARD SHALL MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE LEGIS-
31 LATURE REGARDING ANY POLICY REFORMS AND ENFORCEMENT MEASURES NECESSARY
32 TO REDUCE THE RISK OF PESTICIDE USE IN URBAN AREAS AND ENCOURAGE USE OF
33 NON-TOXIC METHODS OF PEST MANAGEMENT. THE BOARD SHALL ISSUE A PRELIMI-
34 NARY REPORT TO THE GOVERNOR AND THE LEGISLATURE NO LATER THAN JANUARY
35 FIFTEENTH, TWO THOUSAND TEN AND A FINAL REPORT NO LATER THAN JANUARY
36 FIFTEENTH, TWO THOUSAND ELEVEN.

37 3. THE BOARD SHALL UTILIZE RESOURCES OF THE DEPARTMENT, INCLUDING, BUT
38 NOT LIMITED TO, PESTICIDE REPORTING DATA FILED UNDER TITLE TWELVE OF
39 THIS ARTICLE.

40 4. FOR THE PURPOSES OF THIS TITLE, "URBAN AREAS" SHALL MEAN CITIES OR
41 TOWNS WITH A POPULATION DENSITY OF GREATER THAN ONE THOUSAND PERSONS PER
42 SQUARE MILE.

43 S 33-1705. RESPONSIBILITIES OF THE DEPARTMENT AND OTHER AGENCIES.

44 THE DEPARTMENT AND THE DEPARTMENT OF HEALTH SHALL PROVIDE THE BOARD
45 WITH SUCH FACILITIES, ASSISTANCE, AND DATA AS WILL ENABLE THE BOARD TO
46 CARRY OUT ITS POWERS AND DUTIES. ADDITIONALLY, ALL OTHER AGENCIES OF THE
47 STATE OR SUBDIVISIONS THEREOF SHALL, AT THE REQUEST OF THE CO-CHAIRS
48 PROVIDE THE BOARD WITH SUCH FACILITIES, ASSISTANCE, AND DATA AS WILL
49 ENABLE THE BOARD TO CARRY OUT ITS POWER AND DUTIES.

50 S 2. Paragraph b of subdivision 3 of section 33-0905 of the environ-
51 mental conservation law, as added by chapter 612 of the laws of 1983, is
52 amended to read as follows:

53 b. An applicant for certification shall satisfy the commissioner as to
54 his OR HER knowledge and experience concerning the proper use and appli-
55 cation of pesticides [and], pesticide application equipment, AND PEST
56 MANAGEMENT TECHNIQUES THAT DO NOT INVOLVE THE USE OF PESTICIDES, INCLUD-

1 ING BUT NOT LIMITED TO STRUCTURAL IMPROVEMENTS, MECHANICAL CONTROLS, AND
2 BIOLOGICAL CONTROLS, through examination prior to initial certification.
3 Recertification shall be by training, workbook, or examination as
4 required by the commissioner.
5 S 3. This act shall take effect immediately; provided, however, that
6 section one of this act shall remain in full force and effect until
7 April 1, 2011, when upon such date the provisions of such section shall
8 expire and be deemed repealed.