

RIGHTS IN URBAN AREAS; AND A REPRESENTATIVE OF AN ORGANIZATION FOCUSED ON ENVIRONMENTAL JUSTICE ISSUES.

3. THE COMMISSIONER AND THE COMMISSIONER OF HEALTH, OR THEIR DESIGNEES, SHALL SERVE AS THE CO-CHAIRS OF THE BOARD.

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

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

1. THE BOARD SHALL, AT A MINIMUM:

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

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

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

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

2. THE BOARD SHALL MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE LEGISLATURE REGARDING ANY POLICY REFORMS AND ENFORCEMENT MEASURES NECESSARY TO REDUCE THE RISK OF PESTICIDE USE IN URBAN AREAS AND ENCOURAGE USE OF NON-TOXIC METHODS OF PEST MANAGEMENT. THE BOARD SHALL ISSUE A PRELIMINARY REPORT TO THE GOVERNOR AND THE LEGISLATURE NO LATER THAN JANUARY FIFTEENTH, TWO THOUSAND FOURTEEN AND A FINAL REPORT NO LATER THAN JANUARY FIFTEENTH, TWO THOUSAND FIFTEEN.

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

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

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

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

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

b. An applicant for certification shall satisfy the commissioner as to his OR HER knowledge and experience concerning the proper use and application of pesticides [and], pesticide application equipment, AND PEST MANAGEMENT TECHNIQUES THAT DO NOT INVOLVE THE USE OF PESTICIDES, INCLUDING BUT NOT LIMITED TO STRUCTURAL IMPROVEMENTS, MECHANICAL CONTROLS, AND BIOLOGICAL CONTROLS, through examination prior to initial certification. Recertification shall be by training, workbook, or examination as required by the commissioner.

1 S 3. This act shall take effect immediately; provided, however, that
2 section one of this act shall remain in full force and effect until
3 April 1, 2015, when upon such date the provisions of such section shall
4 expire and be deemed repealed.