STATE OF NEW YORK

2411

2019-2020 Regular Sessions

IN SENATE

January 24, 2019

Introduced by Sen. BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend chapter 464 of the laws of 2016 relating to creating the New York state ocean acidification task force, in relation to reports by the New York state ocean acidification task force and to the effectiveness thereof

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

Section 1. Section 2 of chapter 464 of the laws of 2016, relating to creating the New York state ocean acidification task force, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed January 1, [~~2019~~] 2023.

§ 2. Section 1 of chapter 464 of the laws of 2016, relating to creating the New York state ocean acidification task force, is amended to read as follows:

Section 1. New York state ocean acidification task force. 1. There is hereby established, within the department of environmental conservation, an ocean acidification task force ("task force") which shall consist of 14 members who shall be appointed as follows:

(a) the commissioner of environmental conservation or his or her designee;

(b) the secretary of state or his or her designee;

(c) the commissioner of the office of general services or his or her designee;

(d) two members appointed by the governor;

(e) two members to be appointed by the temporary president of the senate;

(f) two members to be appointed by the speaker of the assembly;

(g) one member to be appointed by the minority leader of the senate;

(h) one member to be appointed by the minority leader of the assembly;

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

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(i) one member to be appointed by the mayor of the city of New York;
(j) one member to be appointed by the county executive of the county of Nassau; and
(k) one member to be appointed by the county executive of the county of Suffolk.
2. The at large members should include individuals with expertise in one or more of the following areas: climatology; hydrology; economics; marine fisheries including commercial and/or recreational fishing; environmental; aquaculture; oceanography or coastal ocean science; ocean acidification; and ecology or environmental biology.
3. Task force members shall receive no compensation for their services but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties.
4. The chairperson of the task force shall be the commissioner of environmental conservation or his or her designee. The task force shall meet no less than four times and at other times at the call of the chairperson.
5. Any vacancies on the task force shall be filled in the manner provided for in the initial appointment.
6. The task force shall be authorized to hold public hearings and meetings to enable it to accomplish its duties **and shall at a minimum hold at least one hearing on the interim report**.
7. The task force may consult with any organization, educational institution, other government entity or agency or person including, but not limited to, the national [~~ocean~~] **oceanic** and atmospheric administration, in the development of its report required by subdivision 10 of this section.
8. The department of environmental conservation shall provide the task force with such facilities, assistance and data as will enable the task force to carry out its powers and duties. Additionally, all other agencies of the state or subdivisions thereof may, at the request of the chairperson, provide the task force with such facilities, assistance, and data as will enable the task force to carry out its powers and duties.
9. The purpose of the New York state ocean acidification task force shall be to identify the causes and factors contributing to ocean acidification and evaluating ways of addressing the problem by applying the best available science as to ocean acidification and its anticipated impacts.
10. **No later than December 31, 2021, the task force will prepare an interim report containing the criteria identified in subdivision eleven of this section.**
11. No later than December 31, [~~2018~~] **2022**, the task force shall transmit to the governor, the temporary president of the senate and the speaker of the assembly a **final** report containing the following:
(a) an assessment of the anticipated impacts related to ocean acidification;
(b) recommendations related to mechanisms New York could establish to provide stronger, more protective standards, and the implementation and enforcement of such standards in the context of ocean acidification;
(c) recommendations regarding adaptive measures which may be taken to respond to ocean acidification, including measures to:
(i) identify and monitor early effects of ocean acidification on marine life, animals, plants and natural communities; and
(ii) integrate ocean acidification mitigation and adaptation strategies into state environmental plans;

(d) recommendations on state and local regulatory and/or statutory alterations to respond to the impacts of ocean acidification;

(e) review existing scientific literature and data on ocean acidification and how it has directly or indirectly affected or may potentially affect commercially harvested and grown species along the coast;

(f) identify and monitor the factors contributing to ocean acidification; [~~and~~]

(g) recommendations to increase public awareness of ocean acidification[~~.~~]**; and**

(h) an assessment of the public comments received at any hearing.

§ 3. Notwithstanding the provisions of article 5 of the general construction law, the provisions of chapter 464 of the laws of 2016, relating to creating the New York state ocean acidification task force, as amended by sections one and two of this act, are hereby revived and shall continue in full force and effect as such provisions existed on January 1, 2019.

§ 4. This act shall take effect immediately; provided that the amendments to section 1 of chapter 464 of the laws of 2016 relating to creating the New York state ocean acidification task force made by section two of this act shall not affect the repeal of such section and shall be deemed repealed therewith.