§ 235-a. New York state biodiversity research institute. 1. The New York state biodiversity research institute is hereby created within the New York state museum within the education department. The purposes of the institute shall include:

(a) advising the governor, governmental agencies, the regents, and the legislature on matters relating to biodiversity in New York state;

(b) fostering, pursuing and sponsoring collaborative biological and ecological research;

(c) increasing understanding of biodiversity research and conservation needs in New York by establishing and reporting on what is known and what is not known about the biological diversity of the state;

(d) identifying priority needs for biodiversity research and inventory work within New York that currently are not receiving adequate attention, and identifying public or private entities that are best situated to address such needs, thereby leading to better coordination of biodiversity research efforts in the state;

(e) promoting awareness of existing and new sources of biodiversity information and biodiversity expertise among planners, policy makers, and resource managers;

(f) educating elected officials, governmental agencies, and the general public on biodiversity issues through such means as it may determine;

(g) organizing and sponsoring meetings on biodiversity topics;

(h) encouraging the establishment of networks of collaborating scientists engaged in related aspects of biodiversity research;

(i) raising sensitivity to biodiversity concerns among state and local government agencies, and serving as a forum for enhanced interagency information sharing and cooperation;

(j) recommending priority activities for funding through the state land biodiversity stewardship account, created pursuant to section ninety-seven-oo of the state finance law;

(k) assisting the commissioners of environmental conservation and parks, recreation and historic preservation in conducting reviews, pursuant to section 3-0302 of the environmental conservation law and subdivision eighteen of section 3.09 of the parks, recreation and historic preservation law, of lands currently in state ownership, to identify lands and waters that harbor plants, animals, and ecological

communities that are rare in New York state;

(l) assisting the commissioner of parks, recreation and historic preservation in identifying ecologically significant sites within state parks and historic sites that are candidates for park preserve or park preservation area designation pursuant to article twenty of the parks, recreation and historic preservation law; and

(m) assisting the commissioner of environmental conservation in identifying lands of ecological significance, currently in state ownership, to recommend to the governor and the legislature for dedication to the state nature and historical preserve trust pursuant to article forty-five of the environmental conservation law.

2. Definitions. When used in this section, the following terms shall mean:

(a) "Biodiversity" or "biological diversity" means the total variety of living organisms found in the state, and the natural processes that support them; and

(b) "Institute" shall mean the New York state biodiversity research institute created pursuant to subdivision one of this section.

3. Research programs. The institute shall foster, pursue and sponsor original systematic and ecological research, field studies, and inventories of biological collections that are designed to:

(a) increase the information base pertaining to plant, animal, biological community, and ecosystem occurrences in the state, including descriptions, collections and catalogs of fauna and flora, plant and animal life-cycle requirements and characteristics, the dynamics of ecological processes, and the status of rare plants, animals, and biological communities;

(b) detect, document, and interpret patterns and changes in the flora and fauna of the state, including expansions, losses, and introductions of species;

(c) explore and foster the gathering of data in poorly known or vulnerable areas of the state; and

(d) investigate techniques designed to conserve, protect, and manage biodiversity.

4. Education and information transfer programs. The institute shall foster the collection, transfer, and application of biodiversity information in the state by:

(a) fostering access, compatibility, interchange, and synthesis of data among biological information systems maintained by public entities, academic and research institutions, and private organizations;

(b) employing advanced technology to coordinate for ease of use the scattered biological collection resources of the state;

(c) promoting adherence to accepted standards for biodiversity research, including quality control for the collection of voucher specimens and data, and protocols for responsible collection policies; and

(d) supporting the preparation and publication of interpretative works that draw upon biological collection resources.

5. Biennial reports. The institute shall prepare and submit a report on or before January first, nineteen hundred ninety-five and every two years thereafter to the governor, the regents, and the legislature describing programs undertaken or sponsored by the institute, the status of knowledge regarding the state's biodiversity, and research needs related thereto.

6. Executive committee. The institute shall be guided by an executive committee. Members of the committee shall be from varying backgrounds with members selected from the stewardship community, from the scientific community, as well as from government service. Such committee shall consist of seventeen members including the commissioner, the commissioner of environmental conservation, the commissioner of parks, recreation and historic preservation, the chancellor of the state university of New York or their designees, seven at large members appointed by the governor, one of whom shall be chairperson, two members appointed by the temporary president of the senate, one member appointed by the minority leader of the senate, two members appointed by the speaker of the assembly and one member appointed by the minority leader of the assembly. Appointed members shall serve for a term of three years, provided that such members may be reappointed. The executive committee shall:

(a) adopt policies, procedures, and criteria governing the programs and operations of the institute;

(b) recommend to the governor and legislature appropriate actions to identify, manage and conserve exemplary occurrences of common ecological communities on state-owned lands. An "exemplary occurrence of a common ecological community" shall mean a representative, high quality example of a given ecological community type, characterized by a distinctive assemblage of interacting plant and animal populations;

(c) develop and implement the research, education and information transfer programs of the institute;

(d) identify and rate proposals for biodiversity research;

(e) identify and rate proposals for biodiversity stewardship;

(f) submit to the director of the budget, and the chairpersons of the senate finance committee and the assembly ways and means committee on the first day of October nineteen hundred ninety-three and on or before August first in each year thereafter, a budget request for the expenditure of funds available from the biodiversity stewardship and research fund, for the purposes established by section ninety-seven-oo of the state finance law;

(g) meet publicly at least twice a year. The committee shall widely disseminate notice of its meetings at least two weeks prior to each meeting. The commissioners of environmental conservation, education and parks, recreation and historic preservation and the chancellor of the state university shall aid in such dissemination.

7. Scientific working group. The executive committee shall appoint a scientific working group composed of not more than fifteen individuals representing governmental agencies (including a biologist from the department of environmental conservation), academic or research institutions, educational organizations, the forest products industry and non-profit conservation organizations. Members of the scientific working group shall have knowledge and expertise in biodiversity conservation and research and shall serve for a term of three years, provided, however that members may be reappointed for more than one term at the discretion of the executive committee. The scientific working group shall make recommendations to the executive committee with respect to:

(a) the identification of priority biodiversity research needs in the state;

(b) the development and implementation of the institute's research, education, and information transfer programs;

(c) the allocation and expenditure of funds from the biodiversity stewardship and research fund created pursuant to section ninety-seven-oo of the state finance law;

(d) identification and rating of proposals for biodiversity research; and

(e) identification and rating of proposals for biodiversity stewardship.

8. Institute director. The institute shall have a director who shall be appointed by the executive committee and shall after appointment be an employee of the state museum and science service. The institute director shall serve at the pleasure of the executive committee. The institute director shall serve as chief administrative officer of the institute and provide the necessary support for the executive committee.

9. Compensation. The members of the executive committee and the scientific working group shall serve without additional compensation, but shall be eligible to receive reimbursement for their actual and necessary expenses from the biodiversity stewardship and research fund established by section ninety-seven-oo of the state finance law, provided however, members of the executive committee representing state agencies may receive reimbursement for their actual and necessary expenses from their respective agencies. Members of the executive committee and scientific working group shall be considered state employees for the purposes of sections seventeen and nineteen of the public officers law.

10. Memorandum of understanding. The education department, the department of environmental conservation, and the office of parks, recreation and historic preservation shall enter into a written memorandum of understanding to facilitate the appropriate implementation of the biodiversity research institute and the goals, responsibilities, and programs established by this section.