§ 11-0327. Conservation fund advisory board.

1. Creation of conservation fund advisory board. (a) The conservation fund advisory council is hereby continued and reestablished in the department to be the conservation fund advisory board, which shall make recommendations to state agencies on state government plans, policies, and programs affecting fish and wildlife as more specifically outlined below. Such board shall be composed of eleven voting members, including a member designated by the state fish and wildlife management board, a member designated by the New York state conservation council, three members appointed by the governor, 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. None of the members shall be employees of the department. Of the members appointed by the governor, the temporary president of the senate, the minority leader of the senate, the speaker of the assembly, and the minority leader of the assembly, no two shall be residents of the same department of environmental conservation region. Each member shall be a resident of the region which that person is appointed to represent. The board shall be representative of individual and organized sportsmen's interests in each region of the state. In addition to these voting members, the commissioner and the chairmen of the senate finance committee, the senate environmental conservation committee, the assembly ways and means committee and the assembly committee on environmental conservation or their designees shall serve as ex officio, non-voting members of the advisory board.

(b) Persons designated or appointed to the advisory board, excluding ex officio members, shall have demonstrated a long-standing interest, knowledge and experience in fish and wildlife management, including hunting or fishing, as evidenced in part by the holding of a valid New York state hunting, fishing or trapping license at the time they are designated or appointed to such board and for each of the three years immediately preceding their designation or appointment to such board. One member, who may not be an ex officio member, shall be elected chairman of the advisory board by a majority vote of the members of such board, excluding ex officio members.

(c) The designation or appointment of any person to the advisory board, excluding ex officio members, shall be considered terminated if, in the course of any one-year period commencing from the date of their designation or appointment, such person shall have accrued three unexcused absences from meetings of the board. Excuses for absences are to be accepted at the discretion of the chairman. In the event of such termination, the resulting vacancy shall be filled as described in subdivision five of this section.

2. Meetings of the advisory board. The board shall meet at least quarterly at the call of the chairman.

3. Duties of the advisory board. The advisory board shall have the following powers and duties:

(a) To review the allocations and expenditures of the department for fish and wildlife purposes as provided in section 11-0303 of this title and report to the commissioner by November fifteenth of each year. To assist the board in its review, the department shall by September first of each year make available to the board, the governor and the legislature current and anticipated income and expenditures for the fish and wildlife programs, including planned expenditures by time and activity code for the next fiscal year. Such report shall include the findings of the advisory board regarding such allocations and expenditures, including expenditures and appropriations from the conservation fund and the extent to which such expenditures and appropriations are consistent with the requirements of state law. The report shall also include recommended maximum annual fees for the licenses and bowhunting and/or muzzle-loading privileges identified in subdivision 3 of section 11-0715 of this article. In recommending such fees the board shall consider economic indicators, the status of the conservation fund, and such program indicators as it may deem appropriate. The commissioner shall submit such report, in its entirety, to the governor and the legislature.

(b) To make reports and release information from time to time, as it deems necessary, to sportsmen and the general public regarding the conservation fund and the fish and wildlife program.

(c) To consult with fish and wildlife interests and render annual

reports to the commissioner on fiscal needs and make recommendations on how such needs shall be met.

(d) To assist the department's efforts to expand the available sources of income for the conservation fund and advise the department with respect to the needs of various fish and wildlife programs.

(e) To adopt, promulgate, amend or rescind suitable procedural rules with respect to the composition, internal organization and functioning of the board; and such other rules, regulations and procedures as may be necessary or desirable to effectuate the purposes of this section.

(f) To work to encourage both residents and non-residents to hunt, fish and trap in New York, and to promote conservation and management of New York's natural resources.

4. Advisory board members; expenses. Conservation fund advisory board members shall receive no salary, but the necessary traveling expenses of voting members when attending meetings of the board shall be paid from moneys appropriated to the board for travel and shall be paid on vouchers certified by the chairman of the board upon the audit of the comptroller in the manner provided by law.

5. Term of office. All voting members of the board shall serve terms of three years. An appointment to fill a vacancy shall be made for the remainder of the affected term in the same manner as the original appointment was made. Such appointment shall be made within sixty days of the date the position becomes vacant.

6. State assistance. The commissioner shall, at any time requested by the board, make any and all information readily available to the board which the board indicates is needed to properly and thoroughly carry out its responsibilities. The commissioner shall also make available to the board such secretarial and/or clerical aid reasonably necessary to allow the board to carry out its duties and responsibilities.