§ 21-0917. The Great Lakes Basin advisory council.

1. As used in this section:

a. "Great Lakes Basin" means the watershed of the Great Lakes and the St. Lawrence River, upstream from Trois Rivieres, Quebec, consisting in New York State of the Lake Erie, Niagara River, Lake Ontario minor tributaries, Genesee River, Seneca-Oneida Oswego River, Black River, St. Lawrence River, and Lake Champlain drainage basins.

b. "Great Lakes region" means the geographic region composed of the states of Illinois, Indiana, Michigan, Minnesota, New York, Ohio and Wisconsin, the commonwealth of Pennsylvania, and the provinces of Ontario and Quebec, Canada.

2. There is hereby established within the department the Great Lakes Basin advisory council (hereinafter referred to as the "council") consisting of nineteen members to advise the governor and the commissioner on matters relating to the state's role in regional, federal, and international activities aimed at the protection of the quality and quantity of water in the Great Lakes, domestic, municipal, industrial and agricultural water supplies, navigation, hydroelectric power and energy production, recreation, fish and wildlife habitat, and a balanced ecosystem which are all vital to the future environmental, social, and economic health of New York State and the other states and provinces comprising the Great Lakes region.

a. The council shall:

(i) advise the commissioner and the governor on the implementation and any modifications to any comprehensive long-term Great Lakes management plan developed by the department;

(ii) advise the state's members on the board of directors of the Great Lakes protection fund;

(iii) annually identify specific research or program needs for funding from the New York Great Lakes protection fund, after consultation with the Great Lakes protection fund, other Great Lakes states and other concerned parties. Such annual program, with as much detail on the scope

and expectations of each project as is practical, shall be submitted to the commissioner, who shall select specific projects from the program, recommended by the council and shall submit such projects to the department for implementation; and

(iv) evaluate and report to the governor and the legislature on the projects funded by the New York Great Lakes protection fund.

b. The governor shall appoint nine members with one representing an institution that performs research on the issues and the problems of the Great Lakes, one representing a labor union whose members derive their livelihood from the Great Lakes, three representing environmental or conservation organizations with interests in the Great Lakes Basin, two representing business organizations whose commercial interest lies in activities in or around Lake Ontario, Lake Erie and/or the St. Lawrence River, one representing a municipality adjacent to Lake Erie, Lake Ontario or the St. Lawrence River, and one representing a county having a population of two hundred and fifty thousand people or less adjacent to Lake Erie, Lake Ontario or the St. Lawrence River. The temporary president of the Senate and the speaker of the Assembly shall each appoint two members who have a demonstrated knowledge in Great Lakes issues. The commissioner, the commissioners of the departments of state, health, transportation, economic development and the chairman of the power authority of the state of New York or their designated representative shall be ex-officio members. The appointed members of the council shall serve terms of three years; provided, however, that of the members first appointed by the governor, three shall be appointed for a term of three years, three shall be appointed for a term of two years and three shall be appointed for a term of one year. 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. Members shall serve until their successor has been appointed. The governor shall designate the chairperson.

3. The advisory council shall meet at a minimum of two times annually.

4. Advisory council members shall receive no compensation for their

services, but shall be reimbursed for their actual and necessary expenses incurred during the performance of their duties.

5. The council shall submit a report prior to January first beginning in nineteen hundred ninety and annually thereafter to the governor, the speaker of the Assembly, the temporary president of the Senate and the chairmen of the Senate and Assembly committees on environmental conservation. Such report should include an evaluation of the problems and conditions of the Great Lakes and recommendations for departmental or legislative solutions.