9658

IN SENATE

May 16, 2024

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the transportation law, in relation to establishing the New York road salt reduction council and the New York road salt reduction advisory committee

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

1	Section 1. The transportation law is amended by adding a new article
2	23 to read as follows:
3	ARTICLE 23
4	NEW YORK ROAD SALT REDUCTION PROGRAM
5	<u>Section 500. Legislative findings.</u>
б	501. Definitions.
7	502. New York road salt reduction council.
8	503. New York road salt reduction advisory committee.
9	<u>§ 500. Legislative findings. The legislature finds that the report of</u>
10	the Adirondack road salt reduction task force complies with the Randy
11	Preston road salt reduction act, and that its recommendations should be
12	implemented to protect public health and the environment from contam-
13	ination by road salt. The legislature further finds that effective
14	implementation requires interagency cooperation and coordination, atten-
15	tion extending beyond the boundaries of the Adirondack park. A mechanism
16	for such does not currently exist but should be created. The legislature
17	further recognizes that both state and local agencies need the expertise
18	and experience of scientists, engineers, nongovernmental institutions
19	advocating for clean water, highway users, and others in developing
20	solutions to the problems posed by the need to control ice and snow for
21	the safety of the traveling public without contaminating drinking water
22	and impairing natural resources supporting life, a sound economy, and
23	healthful recreation. The legislature also finds that the public has a
24	right to know about the purchase, storage, and use of road salt by
25	governmental entities and the effects thereof.
26	§ 501. Definitions. As used in this article the following terms shall
27	have the following meanings:

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

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1	 "Advisory committee" means the New York road salt reduction advi-
2	sory committee established by section five hundred three of this arti-
3	<u>cle.</u>
4	2. "Council" means the New York salt reduction council established by
5	section five hundred two of this article.
6	3. "Pilot program" means the road salt reduction pilot studies
7	described in the Report.
8	4. "Report" means the two thousand twenty-three report of the task
9	force to the governor and legislature, including its recommendations and
10	background and technical appendix.
11	6. "Task force" means the Adirondack road salt reduction task force
12	established under the Randy Preston road salt reduction act.
13	§ 502. New York road salt reduction council. 1. There is hereby estab-
14	lished the New York road salt reduction council. Such council shall
15	consist of a total of fifteen members and shall include:
16	(a) the commissioner;
17	(b) the commissioner of environmental conservation;
18	(c) the commissioner of health;
19	(d) the chairperson of the New York state thruway authority;
20	(e) the commissioner of the New York city department of environmental
21	protection;
22	(f) the presidents of the New York state association of counties, New
23	York association of towns and the New York conference of mayors;
24	(g) three appointees upon recommendation of the senate majority;
25	(h) three appointees upon recommendation of the assembly majority; and
26	(i) the chair of the road salt reduction advisory committee.
27	With the exception of the chair of the road salt reduction advisory
28	committee and any members appointed by the legislature, all other
29	members may appoint a designee to serve on their behalf.
30	2. The commissioner and the commissioner of environmental conservation
31	or their designees shall serve as joint chairs of the council.
32	3. The members of the council shall include individuals with expertise
33	in the science of road salt contamination and the best practices of road
34	management. Task force members shall receive no compensation for their
35	services but shall be reimbursed for actual and necessary expenses
36	incurred in the performance of their duties, to the extent funds are
37	appropriated for such purpose. Each member of the council shall be enti-
38	tled to one vote. Any approvals or adoptions of recommendations by the
39	council shall require a supermajority of its members. No action may be
40	taken by the council unless there is a quorum, which shall be a majority
41	of the members of the council. Any vacancies on the council shall be
42	filled in the manner provided for the initial appointment. The council
43	<u>shall meet at least quarterly.</u>
44	4. The council shall, without limitation:
45	(a) From time to time assess the nature, scope and magnitude of the
46	environmental, ecological, agricultural, economic, recreational, and
47	social impacts caused by the use of road salt in the state;
48	(b) By two thousand twenty-seven, recommend quantifiable limits in
49	regulation for road salt use that are protective of water quality stand-
50	ards and drinking water maximum contaminant levels, while preserving
51	acceptable levels of service for the driving public;
52	(c) Recommend incentives for the local adoption of best management
53	practices for minimum salt use during winter road maintenance;
54	(d) Recommend scientifically defensible drinking water maximum contam-
55	inant levels and water quality standards that protect freshwater ecology

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4 quantifiable limits for road salt use as proposed under paragraph (b) of this subdivision: (f) Recommend budget allocations and/or legislation necessary of reduce road salt use while maintaining acceptable levels of service ff the driving public: (a) From time to time make a record of actions taken by members of the control, state and local governments, and the public to implement the recommendations of the task force in the report. (b) Monitor the procress of the Adirondack road salt reduction pile programs and determine what follow up steps are in the public interest to implement recommendations statewide; and (i) Regularly share data, including that provided by the advisor committee, among members of the council, state and local government; the advisory committee, and the public to inform decision-making, reducing coordinated actions. 5. The council shall prepare an annual report describing its activity inconsistent and redundant actions during variable to the public. 5. So the governor and legislature and made available to the public. 2 \$ 503. New York road salt reduction advisory committee shall have that is comprised of individuals representing nongovernmental organizations of road salt use. Such advisory committee shall have that is comprised of individuals representing nongovernmental organizations of road salt use. Such advisory committee shall have up to twenty-five members selected by the assembly majority. Up to six members selected by the assembly majority. Up to six members selected by the assembly majority. Up to three members selected by the assembly minor. 19 (c) Hudson riverkeeper: 10 (c) Hudson riverkeeper: 11 (c) Hudson riverkeeper: 12 (c) Hudson riverkeeper: 13 (c) Hudson riverkeeper: 14 (c) Hudson riverkeeper: 15 (c) Hudson riverkeeper: 16 (c) Hudson riverkeeper: 17 (c) Hudson riverkeeper: 18 (c) Hudson riverkeeper: 19 (c) Hudson riverkeeper: 19 (c) Hudson riverkeeper: 10 (c) Hudson riverkeeper: 10 (c) Hudson riverkeeper: 11 (c) He New York state federation of has associations. 12 (c)	1	and public health, to be adopted by the department of environmental
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		shall constitute a quorum for the conduct of business at advisory
		committee meetings.

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1	3. The advisory committee shall provide information, advice, and guid-
2	ance to the council concerning the use, management, and effects of road
3	salt on public highways including, but not limited to, implementing the
4	recommendations of the task force, conducting the pilot program, new
5	relevant scientific data and findings, changes in snow and ice manage-
6	ment technologies, and factors relating to the appropriate balance
7	between maintaining safe roads and otherwise protecting clean drinking
8	water and other natural resources from contamination.
9	4. The members of the advisory committee shall serve without compen-
10	sation, except members shall be allowed their necessary and actual

11 expenses incurred in the performance of their duties under this section.

§ 2. This act shall take effect immediately.