

4407

2009-2010 Regular Sessions

I N   S E N A T E

April 22, 2009

---

Introduced by Sen. SCHNEIDERMAN -- read twice and ordered printed, and  
when printed to be committed to the Committee on Environmental Conser-  
vation

AN ACT to amend the environmental conservation law, in relation to  
declaring a policy of equal treatment in development and enforcement  
of environmental laws, regulations and policies

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The opening paragraph of subdivision 1 of section 1-0101 of  
2     the environmental conservation law is designated paragraph a and a new  
3     paragraph b is added to read as follows:  
4     B. IT IS FURTHER THE POLICY OF THE STATE OF NEW YORK THAT PEOPLE OF  
5     ALL RACES, CULTURES, RELIGIONS, INCOMES, EDUCATION LEVELS AND SEXUAL  
6     PREFERENCE BE TREATED EQUALLY WITH RESPECT TO THE DEVELOPMENT AND  
7     ENFORCEMENT OF ENVIRONMENTAL LAWS, REGULATIONS AND POLICIES. IT IS A  
8     BASIC RIGHT OF ALL NEW YORKERS TO LIVE AND WORK IN SAFE, HEALTHFUL,  
9     PRODUCTIVE AND AESTHETICALLY AND CULTURALLY PLEASING SURROUNDINGS. THIS  
10    POLICY IS BASED ON THE CONCEPT OF FUNDAMENTAL FAIRNESS, WHICH IMPLIES  
11    THAT NO POPULATION SHOULD BE FORCED TO BEAR A DISPROPORTIONATE SHARE OF  
12    EXPOSURE TO THE NEGATIVE EFFECTS OF POLLUTION OR BE DEPRIVED OF LOCALLY  
13    ACCESSIBLE OPEN SPACE DUE TO LACK OF POLITICAL OR ECONOMIC STRENGTH.  
14    S 2. The opening paragraph of subdivision 3 of section 1-0101 of the  
15    environmental conservation law is amended to read as follows:  
16    It shall further be the policy of the state to foster, promote, create  
17    and maintain conditions under which [man] PEOPLE and nature can thrive  
18    in harmony with each other, and achieve social, economic and technolog-  
19    ical progress for present and future generations by:  
20    S 3. This act shall take effect immediately.

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

LBD11368-01-9