S T A T E O F N E W Y O R K

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I N A S S E M B L Y

March 18, 2010

Introduced by M. of A. JEFFRIES, KAVANAGH, WRIGHT, COLTON, SCHIMEL -- Multi-Sponsored by -- M. of A. ALFANO, BARRA, CLARK, GLICK, MAYERSOHN, PERRY, J. RIVERA, SALADINO, TOWNS -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the siting and presence of adequate numbers of trash receptacles in commercial zones and recreational areas in cities with a population of one million or more

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

Section 1. Paragraph (b) of subdivision 1 of section 27-0107 of the environmental conservation law, as added by chapter 70 of the laws of 1988, is amended to read as follows:

(b) The local solid waste management plan shall:

(i) characterize the solid waste stream to be managed in the planning period;

(ii) assess existing and alternate proposed solid waste management programs and facilities;

(iii) address to the maximum extent practicable the comments and views expressed by concerned governmental, environmental, commercial and industrial interests and the public on the waste reduction, recycling, reuse and disposal alternatives;

(iv) identify the parties with responsibility to implement each element of the plan and the steps which must be undertaken by each;

(v) set forth a timetable for implementing the plan;

(vi) describe the participation in the preparation of the plan of each municipality which has chosen to participate in such preparation; [and]

(vii) describe (A) measures undertaken by the municipalities participating in the planning unit to secure participation of neighboring jurisdictions, (B) the limitations, if any, imposed by the proposed plan on solid waste management alternatives available to such neighboring jurisdictions, and (C) alternatives which would be available if a local solid waste management plan including such jurisdictions were prepared.

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

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Specific written suggestions received from neighboring jurisdictions shall be summarized and reflected in the plan; AND

(VIII) IN A CITY WITH A POPULATION OF ONE MILLION OR MORE, A PLAN FOR THE CONTROL OF LITTER, INCLUDING PROVISION FOR THE PLACEMENT OF AN ADEQUATE NUMBER OF RECEPTACLES FOR TRASH AND RECYCLABLES LOCATED IN COMMERCIAL AND BUSINESS DISTRICTS AND PUBLIC RECREATIONAL AREAS SUCH AS PARKS, ZOOS AND BOTANICAL GARDENS.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that the commissioner of environmental conservation is authorized to promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date on or before such date.