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

4068

2009-2010 Regular Sessions

I N A S S E M B L Y

January 29, 2009

Introduced by M. of A. THIELE, McDONOUGH, RAIA -- Multi-Sponsored by -- M. of A. ALFANO, BARRA, CONTE, FITZPATRICK, SALADINO -- read once and referred to the Committee on Environmental Conservation

AN ACT authorizing the county of Suffolk to adopt local laws in relation to pesticide use and notification

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

Section 1. Notwithstanding any other provision of law to the contrary, the county of Suffolk shall be authorized to adopt local laws which are more stringent and restrictive than state law or regulation regarding pesticide use and notification of pesticide application that are not inconsistent with article 33 of the environmental conservation law or with any rule or regulation promulgated pursuant to article 33 of the environmental conservation law. Such local laws shall not (a) provide for the issuance of permits for the distribution, sale, purchase, or use of restricted use pesticides; (b) provide for certification or licensing of private or commercial pesticide applications as defined in section 33-0101 of the environmental conservation law; or (c) impose pesticide registration requirements on manufacturers or distributors of pesticides. Such local laws shall not be deemed inconsistent with article 33 of the environmental conservation law or with the rules and regulations promulgated pursuant to article 33 of the environmental conservation law merely because they are more stringent. This act shall only apply to lands designated as special groundwater protection areas pursuant to paragraphs (g), (h) and (i) of subdivision 1 of section 55-0113 of the environmental conservation law. The provisions of this act shall not apply to pesticide use for the purpose of producing an agricultural commodity.

S 2. This act shall take effect immediately.

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

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