

1231

2009-2010 Regular Sessions

I N S E N A T E

January 28, 2009

Introduced by Sens. THOMPSON, DUANE, ONORATO, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to prohibiting the disposal of municipal solid waste generated outside of the United States

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

1 Section 1. The environmental conservation law is amended by adding a
2 new section 27-0708 to read as follows:
3 S 27-0708. DISPOSAL OF MUNICIPAL SOLID WASTE GENERATED OUTSIDE OF THE
4 UNITED STATES PROHIBITED.
5 1. NO PERSON, FIRM, PARTNERSHIP, CORPORATION OR ASSOCIATION SHALL
6 DELIVER FOR DISPOSAL, IN A LANDFILL OR INCINERATOR IN THIS STATE, MUNIC-
7 IPAL SOLID WASTE, INCLUDING, BUT NOT LIMITED TO, MUNICIPAL SOLID WASTE
8 INCINERATOR ASH, THAT WAS GENERATED OUTSIDE OF THE UNITED STATES.
9 2. THE OWNER OR OPERATOR OF A LANDFILL OR INCINERATOR IN THIS STATE
10 SHALL NOT ACCEPT FOR DISPOSAL MUNICIPAL SOLID WASTE, INCLUDING, BUT NOT
11 LIMITED TO, MUNICIPAL SOLID WASTE INCINERATOR ASH, THAT WAS GENERATED
12 OUTSIDE OF THE UNITED STATES.
13 S 2. This act shall take effect on the ninetieth day following the
14 enactment of legislation under clause 3 of section 8 of article I of the
15 constitution of the United States authorizing prohibitions established
16 in section one of this act; provided that the commissioner of environ-
17 mental conservation shall notify the legislative bill drafting commis-
18 sion upon the occurrence of the consent and approval of the legislation
19 under clause 3 of section 8 of article I of the constitution of the
20 United States by the congress of the United States in order that the
21 commission may maintain an accurate and timely effective data base of
22 the official text of the laws of the state of New York in furtherance of
23 effecting the provisions of section 44 of the legislative law and
24 section 70-b of the public officers law.

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

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