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

3091

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

Introduced by M. of A. BENJAMIN, FINCH, JAFFEE, DelMONTE, BOYLAND, ALFANO, KOLB, CLARK, COLTON, WALKER -- Multi-Sponsored by -- M. of A. BARRA, DIAZ, GOTTFRIED, GREENE, JOHN, MAISEL, MAYERSOHN, PEOPLES, PHEFFER, ROBINSON, WEISENBERG, WRIGHT -- read once and referred to the Committee on Environmental Conservation

AN ACT to establish the commission on toxic chemical reform initiative; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. The toxic chemical reform initiative. The commission on toxic chemical reform initiative (hereinafter referred to as "the commission") is hereby established. The commission shall study the feasibility of continually tracking the sources of toxic chemicals into New York state's environment; prioritize such toxic chemicals and their sources for dangerousness to children and fetuses; and establish a plan to prohibit the continued introduction, reduce the hazardous impact and/or remediate such chemicals from the environment.

S 2. a. The commission shall consist of eight members and be chaired by the commissioner of environmental conservation. Four members shall be appointed by the governor: two of whom shall be environmental hazard specialists and two of whom shall have expertise in physical medicine. One such appointment shall be upon recommendation of each of the following: the temporary president of the senate, the speaker of the assembly, the minority leader of the senate, and the minority leader of the assembly. Five members of the commission shall constitute a quorum for the transaction of any business of the commission.

b. No member, officer or employee of the commission shall be disqualified from holding any other public office or employment, nor shall he or she forfeit any such office or employment by reason of his or her

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

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appointment hereunder, notwithstanding the provisions of any general, special or local law, ordinance or city charter.

c. The members of the commission shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties hereunder.

S 3. Additionally, all other departments or agencies of the state or subdivisions thereof, and local governments shall, at the request of the chair, provide the commission such facilities, assistance, and data as will enable the commission to carry out its powers and duties.

S 4. The commission may meet and hold public and/or private hearings within the regions of the state, and shall have all the powers of a legislative committee pursuant to the legislative law.

S 5. The commission shall make a report of its findings to be included in the commissioner of environmental conservation's annual report to the governor, the temporary president of the senate and the speaker of the assembly, next succeeding the effective date of this act. Such report shall include findings, detail the feasibility problems, and make recommendations for possible solutions associated with toxic chemical reform initiative.

S 6. This act shall take effect immediately and shall continue in full force and effect until the thirty-first day of December in the year next succeeding the year in which it shall have become a law, when upon such date the provisions of this act shall expire and be deemed repealed.