

8432

2009-2010 Regular Sessions

I N A S S E M B L Y

May 20, 2009

Introduced by M. of A. GIANARIS, COOK, CAHILL, ESPAILLAT, STIRPE, LANCMAN, COLTON, JAFFEE, KOON, REILLY, FIELDS -- Multi-Sponsored by -- M. of A. BARRA, GOTTFRIED, LUPARDO, MAGEE, McDONOUGH, McENENY, MENG, SALADINO, THIELE -- read once and referred to the Committee on Environmental Conservation

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 ASSEMBLY, 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.

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