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

4407

2009-2010 Regular Sessions

I N S E N A T E

April 22, 2009

Introduced by Sen. SCHNEIDERMAN -- 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 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:

Section 1. The opening paragraph of subdivision 1 of section 1-0101 of the environmental conservation law is designated paragraph a and a new paragraph b is added to read as follows:

B. IT IS FURTHER THE POLICY OF THE STATE OF NEW YORK THAT PEOPLE OF ALL RACES, CULTURES, RELIGIONS, INCOMES, EDUCATION LEVELS AND SEXUAL PREFERENCE BE TREATED EQUALLY WITH RESPECT TO THE DEVELOPMENT AND ENFORCEMENT OF ENVIRONMENTAL LAWS, REGULATIONS AND POLICIES. IT IS A BASIC RIGHT OF ALL NEW YORKERS TO LIVE AND WORK IN SAFE, HEALTHFUL, PRODUCTIVE AND AESTHETICALLY AND CULTURALLY PLEASING SURROUNDINGS. THIS POLICY IS BASED ON THE CONCEPT OF FUNDAMENTAL FAIRNESS, WHICH IMPLIES THAT NO POPULATION SHOULD BE FORCED TO BEAR A DISPROPORTIONATE SHARE OF EXPOSURE TO THE NEGATIVE EFFECTS OF POLLUTION OR BE DEPRIVED OF LOCALLY ACCESSIBLE OPEN SPACE DUE TO LACK OF POLITICAL OR ECONOMIC STRENGTH.

S 2. The opening paragraph of subdivision 3 of section 1-0101 of the environmental conservation law is amended to read as follows:

It shall further be the policy of the state to foster, promote, create and maintain conditions under which [man] PEOPLE and nature can thrive in harmony with each other, and achieve social, economic and technological progress for present and future generations by:

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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