

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 Conser-
vation

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 ASSEM-
BLY, 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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