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

7706--B

2011-2012 Regular Sessions

I N A S S E M B L Y

May 16, 2011

Introduced by M. of A. MAGNARELLI, GUNTHER, BOYLAND -- Multi-Sponsored by -- M. of A. COOK, MAGEE, MOYA, ROBINSON -- read once and referred to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to minimum risk pesticides

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

Section 1. Section 33-0905 of the environmental conservation law is amended by adding a new subdivision 2-a to read as follows:

2-A. THE COMMISSIONER MAY, PURSUANT TO PARAGRAPH E OF SUBDIVISION THREE OF SECTION 33-0303 OF THIS ARTICLE, ADOPT REGULATIONS ON THE USE OF PESTICIDES INCLUDING THE APPROPRIATE METHOD AND SETTING FOR THE USE OF PESTICIDES CLASSIFIED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AS AN EXEMPT MATERIAL UNDER 40 CFR PART 152.25, OFTEN CALLED MINIMUM RISK PESTICIDES, WHICH ARE EXEMPT FROM THE REQUIREMENTS OF THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT. SUCH REGULATIONS SHALL ENCOMPASS ALL FACTORS NECESSARY TO PREVENT DAMAGE OR INJURY TO HEALTH, PROPERTY AND WILDLIFE.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulations necessary for the implementation of this act on its effective date is authorized to be made on or before such effective date.

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

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