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

4266

2011-2012 Regular Sessions

I N S E N A T E

March 25, 2011

Introduced by Sen. LANZA -- 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 authorizing owners of residential real property to cut and remove reed from their property

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

Section 1. Section 9-1503 of the environmental conservation law is amended by adding a new subdivision 5 to read as follows:

5. NO PROVISION OF THIS TITLE SHALL BE DEEMED TO PROHIBIT OR AUTHORIZE THE DEPARTMENT TO REGULATE THE CUTTING, PULLING OR DIGGING UP FOR THE PURPOSE OF REMOVAL, OR CAUSING TO BE SO REMOVED, BY THE OWNER OF RESIDENTIAL REAL PROPERTY, ANY REED (PHRAGMITES COMMUNIS) GROWING ON SUCH REAL PROPERTY.

S 2. Section 24-0701 of the environmental conservation law is amended by adding a new subdivision 4-a to read as follows:

4-A. THE CUTTING, PULLING AND DIGGING UP FOR THE PURPOSE OF REMOVAL, OR CAUSING TO BE SO REMOVED, OF ANY REED (PHRAGMITES COMMUNIS) FROM FRESHWATER WETLANDS UPON RESIDENTIAL REAL PROPERTY BY THE OWNER OF SUCH PROPERTY SHALL BE EXCLUDED FROM REGULATED ACTIVITIES AND SHALL NOT REQUIRE A PERMIT PURSUANT TO SUBDIVISION ONE OF THIS SECTION.

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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