

STATE OF NEW YORK

7812

IN SENATE

February 27, 2018

Introduced by Sen. SEWARD -- 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 exempting manure deposited incidentally from noisome or unwholesome substances

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 71-3501 of the environmental conservation law is
2 amended to read as follows:

3 § 71-3501. Putting noisome or unwholesome substances or maintaining
4 noisome business on or near highway.

5 A person, who deposits, leaves or keeps, on or near a highway or route
6 of public travel, either on the land or on the water, any noisome or
7 unwholesome substance, or establishes, maintains or carries on, upon or
8 near a public highway or route of public travel, either on the land or
9 on the water, any business, trade or manufacture which is noisome or
10 detrimental to public health, is guilty of a misdemeanor, punishable by
11 a fine of not less than one hundred dollars, or by imprisonment not less
12 than three nor more than six months, or both. A person shall not be
13 guilty of a misdemeanor under this section if manure is incidentally
14 deposited on or near a highway by such person, by livestock owned by
15 such person or by agricultural equipment owned or used by such person.
16 Manure shall be determined to be dropped incidentally if, during the
17 course of transporting livestock or tending to livestock, manure is
18 unknowingly deposited on or near a highway.

19 § 2. 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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