

STATE OF NEW YORK

6353--A

Cal. No. 1264

2017-2018 Regular Sessions

IN SENATE

May 11, 2017

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the environmental conservation law, in relation to penalties and enforcement in the Long Island Pine Barrens maritime reserve

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

1 Section 1. Subdivision 4 of section 57-0136 of the environmental
2 conservation law, as amended by chapter 289 of the laws of 2006, is
3 amended to read as follows:

4 4. Additional remedies. (a) Alternatively, or in addition to an action
5 seeking civil penalties or criminal fines or imprisonment as provided by
6 subdivisions two and three of this section, the commission, the Suffolk
7 county district attorney or the attorney general may institute any
8 appropriate action or proceeding to prevent, restrain, enjoin, correct,
9 or abate any violation of, or to enforce, any provision of this title,
10 the land use plan adopted by the commission, any regulation promulgated
11 by the commission, or the terms or conditions of any order, permit, or
12 determination issued by the commission pursuant to this title. The court
13 in which the action or proceeding is brought may order the person
14 responsible for the violation to take such affirmative measures as are
15 necessary to correct or remediate the violation. Such an action or
16 proceeding may also seek restitution for any such violation.

17 (b) In addition to the penalties set forth in subdivisions two and
18 three of this section, a police officer or peace officer may immediately

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

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1 impound any all-terrain vehicle, as defined in section twenty-two
2 hundred eighty-one of the vehicle and traffic law, provided that such
3 seizure is conducted pursuant to section five hundred eleven-b of the
4 vehicle and traffic law. A five hundred dollar surcharge may be added to
5 any such impoundment.

6 § 2. This act shall take effect June 1, 2019.