



The New York Water Environment Association, Inc.

The Water Quality Management Professionals

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PASSED/ACTIVE NEW YORK WATER-RELATED 2012 LEGISLATIVE PROPOSALS¹

(5/1/2012)

| Passed and Signed into Law (none that are being tracked) | |
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| Passed Assembly | |
| A2229 No same as | <p>Kavanagh – Imposes penalty upon agency failing to complete a remediation plan AN ACT to amend the environmental conservation law, in relation to state agency environmental audits 01/04/12 died in senate 01/04/12 ordered to third reading cal.102 01/23/12 passed assembly 01/23/12 delivered to senate 01/23/12 referred to environmental conservation</p> |
| A2890 No same as | <p>Sweeney (MS) –Relates to the collection of mercury containing thermostats AN ACT to amend the environmental conservation law, in relation to the collection of mercury containing thermostats 03/22/12 passed assembly 03/22/12 delivered to senate 03/22/12 referred to environmental conservation</p> |
| A3374 No same as | <p>Sweeney (MS) – Relates to the definition of freshwater wetlands, repealer AN ACT to amend the environmental conservation law, in relation to freshwater wetlands and repealing section 24-1305 of such law relating thereto 05/02/11 passed assembly 05/02/12 delivered to senate 01/04/12 died in senate 01/04/12 ordered to third reading cal.133</p> |

¹ For more information, please contact Libby Ford, QEP at 585-263-1606 (lford@nixonpeabody.com).
<http://www.nixonpeabody.com>

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| <p>A9420A Sweeney Same as S6268A</p> | <p>Sweeney (A9420A) – Creates the “sewage pollution right to know act” AN ACT to amend the environmental conservation law, in relation to creating the sewage pollution right to know act 02/29/2012 referred to environmental conservation 03/06/2012 reported 03/08/2012 advanced to third reading cal.398 03/19/2012 amended on third reading 9420a 04/25/2012 passed assembly 01/18/12 referred to Senate environmental conservation 04/02/12 amend(T) and recommit to environmental conservation 04/02/12 print number 6268a</p> |
| <p>A3485A No same as</p> | <p>Sweeney (MS) – Relates to the collection of mercury containing thermostats AN ACT to amend the environmental conservation law, in relation to the collection of mercury thermostats 01/04/12 returned to assembly 01/04/12 ordered to third reading cal.136 01/19/12 amended on third reading 345a 03/22/12 passed assembly 03/22/12 delivered to senate 03/22/12 referred to environmental conservation</p> |
| <p>A5346A No same as</p> | <p>Sweeney (MS) – Relates to global warming pollution control AN ACT to amend the environmental conservation law, in relation to global warming pollution control 05/02/11 passed assembly 01/04/12 ordered to third reading cal.182 02/29/12 amended on third reading 5346a</p> |
| <p>A5638 No same as</p> | <p>Sweeney (MS)—Requires restoration of areas adjacent to wetlands AN ACT to amend the environmental conservation law, in relation to enforcement of the freshwater law 05/02/11 passed assembly 01/04/12 died in senate 01/04/12 returned to assembly 91/04/12 ordered to third reading cal.187</p> |
| <p>A7013 Same as S 4616 AVELLA</p> | <p>Sweeney—Relates to the uniform treatment of waste from the exploration, development, extraction, or production of crude oil or natural gas AN ACT to amend the environmental conservation law, in relation to the uniform treatment of waste 06/16/11 passed assembly 01/04/12 died in senate 01/04/12 ordered to third reading cal.233 02/13/12 passed assembly 02/13/12 delivered to senate 02/13/12 referred to environmental conservation.</p> |

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| <p>A7866B Same as S4755B SALAND</p> | <p>Jaffee – Creates the well water and water supply education act; requires public education program on the potential hazards of private water supplies AN ACT to amend the public health law, the real property law and the state finance law, in relation to enacting the well water and water supply education act 06/07/11 passed assembly 04/19/12 passed assembly 04/19/12 delivered to senate 04/19/12 referred to commence, economic development and small business</p> |
| <p>A9297 Same as S6647 GRISANTI</p> | <p>Ryan – Adds the Buffalo River to the definition of inland waterways AN ACT to amend the executive law, in relation to adding the Buffalo River to the definition of inland waterways 02/14/12 referred to environmental conservation 03/06/12 reported 03/08/12 advanced to third reading cal.397 03/14/12 passed assembly 03/14/12 delivered to senate 03/13/12 referred to senate finance</p> |
| Passed Senate | |
| <p>S791 Same as A5866 Gunther</p> | <p>YOUNG—Regulates farm pond dams AN ACT to amend the agriculture and markets law and the environmental conservation law, in relation to farm pond dams 06/06/11 passed senate 03/13/12 passed senate 03/13/12 delivered to assembly 03/13/12 referred to assembly agriculture</p> |
| <p>S922 No same as</p> | <p>MARCELLINO – Exempts operators of law enforcement vessels from laws which regulate vessels on navigable waters of the state while responding to emergencies AN ACT to amend the navigation law, in relation to providing an exemption from certain laws for operators of law enforcement vessels responding to emergencies on the navigable waters of the state 01/30/12 passed senate 01/30/12 delivered to assembly 01/30/12 referred to assembly transportation</p> |
| <p>S2351 Same as A2594 Englebright</p> | <p>MCDONALD – Establishes the Historic Hudson-Hoosic Rivers Partnership to replace and expand the territory of the former Historic Saratoga-Washington on the Hudson Partnership 03/31/11 passed senate 01/04/12 died in assembly 03/13/12 passed senate 03/13/12/ delivered to assembly 03/31/12 referred to assembly environmental conservation</p> |

| Moving in Assembly | |
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| <p>A611 Same as S 2703 SERRANO</p> | <p>Peoples-Stokes (MS) – Identifies the criteria the commission of environmental conservation should consider in publishing a list of high local environmental impact zones. AN ACT to amend the environmental conservation law, in relation to high local environmental impact communities 05/02/11 passed assembly 01/04/12 returned to Senate 01/19/12 amended on third reading 667b</p> |
| <p>A667B Same as S 2709- B GRISANTI</p> | <p>Jaffee (MS) – Enacts the “private well testing act” AN ACT to amend the environmental conservation law, the public health law and the real property law, in relation to enacting the “private well testing act” 05/02/11 passed assembly 01/04/12 died in senate 01/04/12 returned to assembly 01/04/12 ordered to third reading cal.46 01/09/12 amended on third reading 667a 01/19/12 amended on third reading 667b</p> |
| <p>A1408A Same as S1455-A LAVALLE</p> | <p>Thiele – Provides for local tidal wetlands protection AN ACT to amend the environmental conservation law, in relation to local tidal wetlands protection 01/04/12 referred to environmental conservation 01/27/12 amend and recommit to environmental conservation 01/27/12 print number 1408a</p> |
| <p>A1582A Same as S 1601- A LAVELLE</p> | <p>Englebright—Enacts the “Peconic Bay estuary protection act” 01/04/12 referred to environmental conservation 02/03/12 amend and recommit to environmental conservation 02/03/12 print number 1582a</p> |
| <p>A2206 Same as S 5126 CARLUCCI</p> | <p>Zebrowski (MS) – Enacts the “Rockland Bergen Bi-state watershed flood prevention and protection act” AN ACT enacting the “Rockland Bergen Bi-state watershed flood prevention and protection act” and creating the Rockland Bergen Bi-state River Commission 01/14/11 referred to environmental conservation 05/03/11 reported referred to ways and means 01/04/12 referred to environmental conservation 02/14/12 reported referred to ways and means</p> |
| <p>A2530 No same as</p> | <p>Jeffries (MS) –Enacts lead free parks act; related to the cleanup and remediation of parks AN ACT to amend the environmental conservation law, in relation to establishing the Historic Hudson-Hoosic Rivers Partnership 01.19/11 referred to environmental conservation 01/04/12 referred to environmental conservation 04/18/12 reported 04/19/12 advanced to third reading cal.447</p> |

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| <p>A2546 Same as S 6689 STEWART- COUSINS</p> | <p>Pretlow -- Makes provisions regarding the siting of environmental facilities in minority communities or economically distressed areas 01/04/12 referred to environmental conservation 02/14/12 reported 02/16/12 advance to third reading cal.345</p> |
| <p>A2594 Same as S 2351 MCDONALD</p> | <p>Englebright – Establishes the Historic Hudson-Hoosic Rivers Partnership to replace and expand the territory of the former Historic Saratoga-Washington on the Hudson Partnership AN ACT to amend the environmental conservation law, in relation to establishing the Historic Hudson-Hoosic Rivers Partnership 04/18/12 reported 04/19/12 advanced to third reading cal.447</p> |
| <p>A4539 No same as</p> | <p>Englebright—Establishes provisions for the stewardship of ocean resources and the establishment of an ocean management plan AN ACT to amend the environmental conservation law, in relation to providing for the stewardship of ocean resources; and to amend the state finance law, in relation to AN ACT to amend the environmental conservation law, in relation to global warming pollution control 01/04/12 died in senate 01/04/12 returned to assembly 01/04/12 ordered to third reading cal.182 02/29/12 amended on third reading 534a</p> |
| <p>A5585 No same as</p> | <p>Kavanagh (MS) – Provides that the failure to report a release of hazardous substances is a class A misdemeanor AN ACT to amend the environmental conservation law, in relation to notification of the release of hazardous substances 01/04/12 referred to environmental conservation 02/14/12 reported referred to codes.</p> |
| <p>A5670A Same as S 3554- A LAVALLE</p> | <p>Thiele – Prohibits the application of certain lawn fertilizers to any watershed and drainage basins in certain counties AN ACT to amend the environmental conservation law, in relation to the application of law fertilizer to watersheds and drainage basins 01/04/12 referred to environmental conservation 03/02/12 amend and recommit to environmental conservation 03/02/12 print number 5670a</p> |
| <p>A5675A Same as S 6640A ALESI</p> | <p>Englebright – Prohibits the use of atrazine AN ACT to amend the environmental conservation law, in relation to prohibiting the use of the herbicide atrazine 01/04/12 referred to environmental conservation 01/24/12 amend and recommit to environmental conservation 01/24/12 print number 5675a</p> |

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| <p>A9040 Same as S 5915- C ESPAILLAT</p> | <p>Jaffee—Requires monitoring by DEC of water contamination throughout the state and notification of such contamination by the department of health AN ACT to amend the environmental conservation law and the public health law, in relation to monitoring and notifying residents of the state of water contamination 01/17/12 referred to environmental conservation 01/31/12 amend and recommit to environmental conservation 01/31/12 print number 9040a</p> |
| <p>A9040A Same as S 5915- C ESPAILLAT</p> | <p>Jaffee – Requires monitoring by DEC of water contamination throughout the state and notification of such contamination by the department of health AN ACT to amend the environmental conservation law and the public health law, in relation to monitoring and notifying residents of the state of water contamination 01/17/12 referred to environmental conservation 01/31/12 amend and recommit to environmental conservation 01/31/12 print number 9040a</p> |
| <p>A9422 Same as S 6826 LITTLE</p> | <p>Sweeney—Requires the department of environmental conservation to take action with respect to nonnative animal and plant species AN ACT to amend the environmental conservation law, in relation to nonnative animal and plant species 02/29/12 referred to environmental conservation 03/06/12 reported referred to codes 0312/12 referred to ways and means 04/18/12 reported 04/19/12 advanced to third reading cal.469</p> |
| Moving in Senate | |
| <p>S425 Same as A2922 Sweeney</p> | <p>KRUEGER—Relates to the regulation of the use of hydraulic fracturing fluids AN ACT to amend the environmental conservation law, in relation to the use of hydraulic fracturing fluids. 04/12/11 defeated in environmental conservation 01/04/12 referred to environmental conservation 02/21/12 notice of committee consideration – requested 03/12/12 committee discharged and committed to rules</p> |
| <p>S521 Same as A1719 Rosenthal</p> | <p>KRUEGER—Provides that the failure to report a release of hazardous substances is class A misdemeanor 01/25/12 amend and recommit to environmental conservation 01/25/12 print number 768A</p> |
| <p>S768A Same as A 7541 –A Thiele</p> | <p>Young – Provides for the regulation of aquaculture for the purpose of developing fish-farming business as an alternative cash crop for farmers across the state; repealer AN ACT to amend the environmental conservation law and the agriculture and markets law, in relation to the regulations of aquaculture; and to repeal section 11-1989 of the environmental conservation law relating to private trout and black bass hatcheries 01/04 referred to environmental conservation 01/25/12 amend and recommit to environmental conservation 01.25.12 print number768A</p> |

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| <p>S893</p> <p>Same as A2108 Lifton</p> | <p>KRUEGER—Establishes the natural gas exploration and extraction liability act of 2011 AN ACT to amend the environmental conservation law , in relation to the natural gas exploration and extraction liability act of 2011 01/04/12 referred to environmental conservation 02/21/12 notice of committee consideration – requested 03/12/12 committee discharged and committed to rules</p> |
| <p>S1455A</p> <p>Same as A 1408- A Thiele</p> | <p>LAVALLE – Provides for local tidal wetlands protection AN ACT to amend the environmental conservation law, in relation to local tidal wetlands protection 01/04/12 referred to environmental conservation 01/27/12 amend and recommit to environmental conservation 01/27/12 print number 1455A</p> |
| <p>S1595</p> <p>No same as</p> | <p>MONTGOMERY – Provides for draft and final environmental impact statements AN ACT to amend the environmental conservation law, in relation to environmental impact statements 01/04/12 referred to environmental conservation 02/21/12 notice of committee consideration – requested 03/12/12 committee discharged and committed to rules.</p> |
| <p>S1601A</p> <p>Same as A 1582- A Englebright</p> | <p>LAVALLE—Enacts the “Peconic Bay estuary protection act” AN ACT to amend the environmental conservation law, in relation to enacting the “Peconic Bay estuary protection act” 01/10/11 referred to environmental conservation 01/04/12 referred to environmental conservation 02/03/12 amend and recommit to environmental conservation 02/03/12 print number 1601A</p> |
| <p>S2198A</p> <p>No same as</p> | <p>SALAND—Relates to establishing a demonstration program for private well water testing requirements for the sale of real property in certain counties AN ACT to amend the environmental conservation law, the public health law, the real property law and the tax law, in relation to enacting the “private well testing act” 01/04/12 referred to environmental conservation 01/06/12 amend and recommit to environmental conservation 01/06/12 print number 2198A</p> |
| <p>S2558</p> <p>Same as A 3125 Lifton</p> | <p>SEWARD—Relates to the powers and duties of the commissioner and the department of environmental conservation relating to the pollution of fresh water supplies An Act to amend the environmental conservation law, in relation to the powers and duties of the commissioner and the department of environmental conservation relating to the pollution of fresh water supplies. 01/17/12 Amend (T) and recommit to environmental conservation 01/17/12 print number 2697A</p> |

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| <p>S2697A</p> <p>No same as</p> | <p>AVELLA -- Relates to natural gas development using hydraulic fracturing AN ACT to amend the environmental conservation law, in relation to natural gas development using hydraulic fracturing 01/28/11 referred to environmental conservation 01/04/12 referred to environmental conservation 01/17/12 amend (T) and recommit to environmental conservation 01/17/12 print number 2697A</p> |
| <p>S2709B</p> <p>Same as A 667-B Jaffee</p> | <p>GRISANTI—Enacts the “private well testing act” AN ACT to amend the environmental conservation law, the public health law and the real property law, in relation to enacting the “private well testing act” 01/04/12 referred to environmental conservation 01/13/12 amend and recommit to environmental conservation 01/13/12 print number 2709B</p> |
| <p>S3112</p> <p>Same as A3496 Gabryszak</p> | <p>KRUEGER – Relates to the brownfield redevelopment tax credit AN ACT to amend the tax law, in relation to a brownfield redevelopment tax credit 01/04/12 referred to investigations and government operation 02/21/12 notice of committee consideration – requested 03/12/12 committee discharged and committed to rules</p> |
| <p>S3554A</p> <p>Same as A 5670- A Thiele</p> | <p>LAVALLE – Prohibits the application of certain lawn fertilizers to any watersheds and drainage basins in certain counties AN ACT to amend the environmental conservation law, in relation to the application of law fertilizer to watersheds and drainage basins 02/25/11 referred to environmental conservation 01/04/12 referred to environmental conservation 03/02/12 amend and recommit to environmental conservation 03/02/12 print number 3554A</p> |
| <p>S4616</p> <p>Same as A7013 Sweeney</p> | <p>AVELLA—Relates to the uniform treatment of waste from the exploration, development, extraction, or production of crude oil or natural gas AN ACT to amend the environmental conservation law, in relation to the uniform treatment of waste 04/13/11 referred to environmental conservation 01/04/12 referred to environmental conservation 03/06/12 notice of committee consideration – requested 03/12/12 committee discharged and committed to rules</p> |
| <p>S4755B</p> <p>Same as A7866B Jaffee</p> | <p>SALAND—Creates the well water and water supply education act; requires public education program on the potential hazards of private water supplies AN ACT to amend the public health law, the real property law and the state finance law, in relation to enacting the well water and water supply education act 01/04/12 referred to health 01/26/12 amend and recommit to health 01/26/12 print number 4755B</p> |

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| <p>S4793 Same as A2914 Lupardo</p> | <p>O'Mara—Establishes the New York state indigenous natural gas value added task force AN ACT to amend the environmental conservation law, in relation to establishing the New York state indigenous natural gas value added task force; and providing for the repeal of such provision upon expiration thereof 01/04/12 referred to environmental conservation</p> |
| <p>S5228A No same as</p> | <p>GRISANTI—Relates to brownfield site cleanup; repealer AN ACT to amend the environmental conservation law, the public service law, the general business law and the tax law, in relation to brownfield site cleanup; and to repeal section 31 of part H of chapter 1 of the laws of 2003 amending the tax law relating to brownfield redevelopment tax credits, relating thereto 01/04/12 referred to environmental conservation 01/09/12 amend (T) and recommit to environmental conservation 01/09/12 print number 5228A</p> |
| <p>S6615 Same as A9464 Gunther</p> | <p>RITCHIE—Increases the reimbursement cap for districts from \$30,000 to \$60,000 AN ACT to amend the soil and water conservation districts law, in relation to increasing the reimbursement cap 03/05/12 referred to environmental conservation 03/27/12 reported and committed to finance</p> |
| <p>S6647 Same as A9297 Ryan</p> | <p>GRISANTI—Adds the Buffalo River to the definition of inland waterways AN ACT to amend the executive law, in relation to adding the Buffalo River to the definition of inland waterways 03/07/12 referred to finance 04/18/12 1st report Cal.529 04/19/12 2nd report cal.</p> |