



2019 ANNUAL REPORT

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# NEW YORK STATE SENATE STANDING COMMITTEE

ON ENVIRONMENTAL CONSERVATION



**Senator Todd Kaminsky**  
**Chairman**

**THE NEW YORK STATE SENATE  
STANDING COMMITTEE ON  
ENVIRONMENTAL CONSERVATION**

**2019 ANNUAL REPORT**

**Senator Todd Kaminsky, Chairman**  
Senator Phil Boyle, Ranking Member

MAJORITY

Senator Peter Harckham  
Senator Brian Kavanagh  
Senator Rachel May  
Senator Jen Metzger  
Senator Julia Salazar  
Senator Jose Serrano

MINORITY

Senator Kenneth LaValle  
Senator Betty Little  
Senator Thomas O'Mara

COMMITTEE STAFF

Ashley Dougherty, Counsel  
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**CHAIRMAN**  
ENVIRONMENTAL CONSERVATION

**COMMITTEES:**  
CODES  
CIVIL SERVICE AND PENSIONS  
HEALTH  
INVESTIGATIONS AND GOVERNMENT  
OPERATIONS  
TRANSPORTATION

THE SENATE  
STATE OF NEW YORK  
ALBANY



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December 20, 2019

The Honorable Andrea Stewart-Cousins  
Majority Leader & President Pro Tempore  
New York State Senate  
330 State Capitol Building  
Albany, New York 12247

Dear Leader Stewart-Cousins,

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Environmental Conservation for the 2019 Legislative Session. As Chair, I am proud to continue to lead our efforts to address important matters under my committee's jurisdiction,

During the 2019 session, this committee met four times in session and reported sixty bills. The Committee also held seven hearings and roundtables this past year.

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the committee's operations.

Sincerely,

A handwritten signature in black ink that reads "Todd Kaminsky". The signature is stylized with a large, sweeping initial "T" and a cursive "K".

Todd Kaminsky  
Senator, 9th District

## **COMMITTEE JURISDICTION AND OVERVIEW**

The New York State Senate Standing Committee on Environmental Conservation has legislative oversight responsibilities for issues concerning the environment.

During the 2019 Legislative Session, two-hundred and twenty-four bills were referred to the Committee for its review. Of these bills, sixty were reported from the Committee. Forty-five were passed by the Senate, and twenty-eight passed in both houses. This work was conducted through a series of four committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

In addition to its regular meetings, the Committee held seven hearings and roundtable meetings and took live testimony at the hearings. Topics of these hearings and roundtables included the Climate and Community Protection Act, Recycling, and Asthma.

## COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2019:

- **Climate Leadership and Community Protection Act S.6599 (Kaminsky) / A.8429 (Englebright):** This bill forms a twenty-two member Climate Action Council tasked with developing a statewide plan for an 85% reduction in greenhouse gases and carbon neutrality by 2050. It requires 70% renewable electricity by 2030 and 100% clean electricity by 2040. Furthermore, the bill codifies specific targets for solar, offshore wind, energy efficiency, and energy storage. The bill mandates that disadvantaged communities receive no less than 35% of the benefits (with a goal of 40%) from spending related to clean energy and energy efficiency. It also contains measures related to workforce transition, mandatory air monitoring in environmental justice communities, and sector-specific participation in the Council's climate plan.
- **Prohibit Offshore Drilling for Oil and Gas in New York Waters S.2316 (Kaminsky) / A.2572 (Englebright):** This bill prohibits leases, conveyances, and condemnations of land for oil/gas exploration, development, and production in North Atlantic waters.
- **Chlorpyrifos Prohibition S.5343 (Kaminsky) / A.2477B (Englebright):** This bill prohibits the use of chlorpyrifos (trade name Lorsban), which is a toxic pesticide that causes cancer, neurological conditions, and developmental disorders. The bill has an exception for apple growers until December 2021.
- **Prohibit 1,4-Dioxane in Household Cleaning Products, Shampoo, Soaps, and Cosmetics S.4389B (Kaminsky) / A.6295A (Englebright):** This bill prohibits the sale and distribution of household cleansing products, cosmetics, and bathing products containing 1,4-dioxane, which is a carcinogenic byproduct of certain manufacturing processes.
- **Chemical Disclosure and Ban for Toxic Chemicals in Children's Products S.501B (Kaminsky) / A.6296A (Englebright):** This bill requires manufacturers of children's products to disclose "chemicals of concern", and eliminate the use of "dangerous chemicals" such as benzene, asbestos, and tris phosphates.
- **Post-Consumer Paint Stewardship Program S.4351 (Kennedy)/A6373 (Englebright):** This bill requires each paint manufacturer to implement and participate in the Postconsumer Paint Collection Program.
- **Protection of Class C Streams S.5612A (Harckham) / A.8349 (Ryan):** This bill affords Class C streams the same permitting protections as Class A, B, and C(t) streams. Specifically, landowners must obtain a Protection of Waters permit prior to certain activities that disrupt the stream or its banks.
- **Prohibit PFAs in Food Packaging S.2000A (Hoylman) / A.4739A (Fahy):** This bill prohibits the use of carcinogenic PFAs in food packaging.

## LEGISLATION CHAPTERED INTO LAW

Chapter	Bill #	SPONSOR & TITLE
28	S2317	<b>KAMINSKY</b> -- Relates to the taking of menhaden
29	S2316	<b>KAMINSKY</b> -- Relates to prohibiting state authorizations related to certain offshore oil and natural gas production
20	S2409	<b>MARTINEZ</b> -- Extends the authority of the department of environmental conservation to fix by regulation measures for the management of crabs
21	S2410	<b>MARTINEZ</b> -- Relates to commercial fishing licenses
578	S354A	<b>KAMINSKY</b> -- Relates to water saving performance standards
458	S1724	<b>SKOUFIS</b> -- Relates to posting information regarding the issuance of permits for a public water supply on the department of environmental conservation's website
299	S1930	<b>ORTT</b> -- Relates to authorizing hunting big game by rifle in the county of Orleans
674	S2139B	<b>SANDERS</b> -- Relates to the reduction of mercury in mercury-added lamps
735	<b>S2385</b>	<b>PARKER</b> -- Creates a permanent environmental justice advisory group
398	S2411	<b>BROOKS</b> -- Relates to reports by the New York state ocean acidification task force and to extending provisions related to such task force
496	S2413	<b>KAPLAN</b> -- Relates to the suspension of hunting and fishing licenses pursuant to the interstate wildlife violator compact
388	S2417	<b>KAPLAN</b> -- Decreases the amount of alcohol in a person's system necessary to be considered to be intoxicated while hunting

394	S2461	<b>AKSHAR</b> -- Relates to authorizing angling by a single individual with up to three lines in freshwater
301	S3112	<b>AKSHAR</b> -- Makes provisions of law related to hunting in the county of Broome west of the Susquehanna river permanent
48	S3855	<b>LANZA</b> -- Extends the moratorium on the issuance of environmental safety certificates for facilities and routes for the transportation of liquefied natural or petroleum gas
671	S4046	<b>PARKER</b> -- Relates to jewelry containing lead
673	S4351	<b>KENNEDY</b> -- Establishes a postconsumer paint collection program
613	S4389	<b>KAMINSKY</b> -- Relates to prohibiting household cleansing products, cosmetic products and personal care products that contain 1,4-dioxane
674	S4876A	<b>METZGER</b> -- Includes the Asian longhorned tick on the invasive species list
651	S5098	<b>MARTINEZ</b> -- Requires the department of environmental conservation to designate certain species as vulnerable species
661	S5871	<b>MARTINEZ</b> -- Relates to establishing the marine mammal and sea turtle protection area
81	S5937	<b>KAMINSKY</b> -- Extends provisions relating to the department of environmental conservation's management of aquatic invasive species, spread prevention and penalties
565	S6145	<b>KAMINSKY</b> -- Eliminates the installation or covering of mercury-containing flooring in elementary and secondary schools
229	S6155	<b>STEWART-COUSINS</b> -- Relates to extending the authority of the department of environmental conservation to manage American shad
230	S6174	<b>MAY</b> -- Extends the authority of department of environmental conservation in relation to alewife

**LEGISLATION VETOED BY THE GOVERNOR**

<b>BILL #</b>	<b>SPONSOR &amp; TITLE</b>
<b>S25B</b>	<b>HOYLMAN</b> -- Enacts the "bird-friendly building council act" to establish a council to promote the use of bird-friendly building materials and design features in buildings
<b>S181</b>	<b>SERRANO</b> -- Identifies the criteria the commissioner of environmental conservation should consider in publishing a list of high local environmental impact zones
<b>S2100B</b>	<b>MAYER</b> -- Requires the department of environmental conservation to report on coyote management techniques in urban and suburban areas
<b>S2682</b>	<b>MAYER</b> -- Enacts the flood mitigation council act
<b>S4165A</b>	<b>ADDABBO</b> -- Relates to the filling of borrow pits in Jamaica Bay
<b>S5547</b>	<b>SKOUFIS</b> -- Directs the commissioner of environmental conservation to create gift cards for hunting and fishing licenses
<b>S5849</b>	<b>MAY</b> -- Relates to wildlife damage management, authorizing cull permits to certified nuisance wildlife specialists
<b>S5855</b>	<b>GAUGHRAN</b> -- Directs the department of environmental conservation, with the assistance of the department of transportation, to conduct a study on the impacts of John F. Kennedy international airport and LaGuardia airport



**LEGISLATION PASSED BOTH HOUSES**

<b>Bill #</b>	<b>SPONSOR &amp; TITLE</b>
<b>S501B</b>	<b>KAMINSKY</b> -- Relates to regulation of toxic chemicals in children's products

**LEGISLATION PASSED BY THE SENATE ONLY**

<b>Bill #</b>	<b>SPONSOR &amp; TITLE</b>
<b>S620</b>	<b>BOYLE</b> -- Prohibits the hunting or taking of wildlife with the aid of an unmanned aerial vehicle
<b>S1234A</b>	<b>GALLIVAN</b> -- Relates to certain misdemeanors involving the revocation and suspension of hunting, trapping or fishing licenses
<b>S2000A</b>	<b>HOYLMAN</b> -- Relates to the use of perfluoroalkyl and polyfluoroalkyl substances in food packaging
<b>S2489</b>	<b>ADDABBO</b> -- Authorizes certain local municipal agencies to use surveillance cameras to combat illegal dumping
<b>S2490</b>	<b>ADDABBO</b> -- Requires certain waste transported by rail to be covered with hard tarping
<b>S2519</b>	<b>KRUEGER</b> -- Prohibiting the taking of non-native big game mammals in a fenced or other area from which there is no means for such mammal to escape
<b>S3392</b>	<b>MAY</b> -- Relates to the uniform treatment of waste from the exploration, development, extraction, or production of crude oil or natural gas
<b>S4325</b>	<b>SEPULVEDA</b> -- Enacts the "Big Five African Trophies Act" relating to banning the importation, transportation and possession of certain African wildlife species and products
<b>S5196</b>	<b>KAMINSKY</b> -- Relates to the removal of species from the endangered and threatened species list
<b>S5408</b>	<b>MARTINEZ</b> -- Relates to prohibiting the issuance of permits authorizing the use of wild animals in circuses

<b>S5478</b>	<b>MARTINEZ</b> -- Increases certain penalties related to endangered and threatened species
<b>S5579</b>	<b>SERRANO</b> -- Requires notices relating to lawn pesticides to be printed in the Spanish language in areas of the state with a significant number of Spanish speaking residents
<b>S5612A</b>	<b>HARCKHAM</b> -- Relates to protection of certain streams
<b>S5615</b>	<b>BENJAMIN</b> -- Establishes environmental standards for ambient lead and lead contamination
<b>S5619</b>	<b>MARTINEZ</b> -- Directs the department of environmental conservation to study alternative municipal uses for recycled glass
<b>S5826</b>	<b>MAY</b> -- Prohibits the use of wastewater from high-volume hydraulic fracturing for road and land spreading
<b>S5856</b>	<b>LITTLE</b> -- Relates to the additional parcel in township 40, in the town of Long Lake

**LEGISLATION REPORTED FROM THE COMMITTEE ONLY**

<b>Bill #</b>	<b>SPONSOR &amp; TITLE</b>
<b>S268</b>	<b>HELMING</b> -- Eliminates sporting license fees for honorably discharged, disabled veterans
<b>S1886</b>	<b>O'MARA</b> -- Establishes programs to encourage the removal and replacement of single-wall steel home heating oil storage tanks which are leaking or otherwise pose a threat to the environment
<b>S1943</b>	<b>LITTLE</b> -- Authorizes the forest ranger force to establish a training program for volunteer search and rescue personnel to assist the forest rangers
<b>S2156A</b>	<b>KAMINSKY</b> -- Relates to prohibiting the use of chlorpyrifos
<b>S3016</b>	<b>KENNEDY</b> -- Relates to lifetime fishing licenses and certain license exemptions for United States veterans
<b>S3069B</b>	<b>KRUEGER</b> -- Relates to food service waste reduction
<b>S4291</b>	<b>SKOUFIS</b> -- Relates to the water resources planning council
<b>S5021</b>	<b>METZGER</b> -- Relates to the trout stocking practices of the department of environmental conservation
<b>S5622</b>	<b>KAMINSKY</b> -- Extends provisions relating to the department of environmental conservation's management of aquatic invasive species, spread prevention and penalties

## **PUBLIC HEARINGS AND ROUNDTABLES HELD**

In an effort to solicit expert advice and feedback from the general public about major issues before the Committee, several public hearings were held across the State:

- Climate & Community Protection Act (Albany) -- February 12
- Climate & Community Protection Act (New York City) -- February 14
- Climate & Community Protection Act (Long Island) -- February 15
- Recycling (New York City) -- October 21
- Asthma Forum (New York City) -- November 14
- Recycling Roundtable (Syracuse) -- November 19



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