



New York State Senate Standing Committee on Environmental Conservation



Senator Andrea Stewart-Cousins
President Pro Tempore
NYS Senate Majority Leader

2022 LEGISLATIVE SESSION REPORT

NEW YORK STATE SENATE
STANDING COMMITTEE ON ENVIRONMENTAL CONSERVATION

Senator Todd Kaminsky, Chairperson

Committee Members

Senator Todd Kaminsky	Senator Dan Stec, <i>Ranking Member</i>
Senator Pete Harckham	Senator Patricia Ritchie
Senator Michelle Hinchey	Senator Anthony Palumbo
Senator Anna M. Kaplan	
Senator Brian Kavanagh	
Senator John W. Mannion	
Senator Rachel May	
Senator José M. Serrano	

Committee Staff

Emily Dominiak – Committee Director
Christopher Amato – Majority Counsel Office
Tyler Del Giudice – Majority Finance Office

COMMITTEE JURISDICTION AND OVERVIEW

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

During the 2022 Legislative Session, one hundred ten bills were referred to the Committee for its review. Of these bills, seventy-six were reported from the Committee. Sixty-five were passed by the Senate, and forty-two passed in both houses. This work was conducted through a series of five 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 two hearings and/or roundtable meetings. Topics of these hearings and/or roundtables included cryptocurrency mining and financial risks in banking posed by climate change.

Committee Highlights

- **Establishes a carpet collection program (S5027C Kavanagh / A9279A Englebright)**
The bill requires carpet producers to establish a carpet collection program, which will divert unwanted carpet from the landfill and encourage carpet recycling.
- **Prohibits the use of perfluoroalkyl and polyfluoroalkyl substances in apparel (S6291A Hoylman / A7063A Fahy)** The bill prohibits the use of intentionally added PFAS in most apparel categories. PFAS are used in apparel for their liquid-wicking abilities, but mounting research has linked chemicals within the class with serious health effects. PFAS have also been shown to be highly mobile and persistent in the environment and are difficult to remove from water at treatment plants.
- **Prohibits cosmetic products and personal care products that contain mercury (S8291A Brouk / A8630A Reyes)** The bill would prohibit the sale of personal care and cosmetic products that contain mercury. Mercury is used in skin lightening products marketed toward people of color, as well as other products marketed to fade dark spots, blemishes and fine lines. When absorbed through the skin, mercury can cause serious health effects including kidney damage, skin rash or discoloration, and peripheral neuropathy.
- **Allows a municipality to offset costs for municipal recycling projects by applying for additional funding without limiting the availability of state funding. (S9330 Gaughran / A8300 McDonald)** This bill allows municipalities to apply for funding outside of that received from the State and not be faced with reductions in their State grant funding. This change opens up additional revenue for municipalities to improve their recycling programs and infrastructure to better ensure materials that get to their recycling facilities actually gets recycled.

TWO HOUSE BILLS

In 2022, forty-two of the one hundred ten bills referred to the Standing Committee on Environmental Conservation passed both houses of the Legislature. Of these bills, the Governor has signed twenty-four and vetoed five.

Bill-No	Sponsor	Summary	Significant Action
S139A	THOMAS	Relates to declaring the goal of the state of New York to source, reduce, reuse, recycle, or compost no less than eighty-five percent of the solid waste generated by the year 2032.	Vetoed Memorandum 49
S4162	HARCKHAM	Relates to protection of certain streams; adds class C streams to the list of protected streams.	Vetoed Memorandum 88
S4371D	BIAGGI	Directs the department of environmental conservation to promulgate air quality standards for emissions of certain toxic air contaminants.	Vetoed Memorandum 96
S5027C	KAVANAGH	Establishes a carpet collection program; creates a carpet stewardship advisory board; defines terms; imposes penalties for violations.	On the Governor's Desk
S6191A	KAMINSKY	Relates to setting a conservation goal for the state and including an effort to combat the biodiversity and climate crises in the state's land acquisition policy.	On the Governor's Desk
S6291A	HOYLMAN	Prohibits the use of perfluoroalkyl and polyfluoroalkyl substances in apparel as an intentionally added chemical.	On the Governor's Desk
S6421A	HINCHEY	Establishes the position of Catskill park coordinator within the department of environmental conservation to build partnerships between the department and other state agencies, municipal governments, businesses and nonprofit entities that will develop a community-based tourism strategy for the forest preserve to help fortify the regional economy and to coordinate implementation of the public access plan and other approved or adopted Catskill park-wide plans.	On the Governor's Desk
S6510	MANNION	Relates to allowing counties to prohibit hunting during a seven-day special late bow, special long bow and muzzle loader season in the southern zone.	On the Governor's Desk

S6962	RYAN	Relates to the department of environmental conservation providing education and increasing awareness to the public of the health and environmental impacts of idling vehicles. Eff. Date 06/30/2022	Chapter 319 of 2022
S7483	BROUK	Relates to the re-designation of Squaw Island in the town of Canandaigua as Skenoh Island	Chapter 322 of 2022
S7902	MARTUCCI	Includes White Lake in the county of Sullivan as an inland waterway for the purposes of waterfront revitalization.	Chapter 253 of 2022
S8050A	CLEARE	Establishes environmental standards for ambient lead and lead contamination in soils and on floors and window sills.	Vetoed Memorandum 87
S8291A	BROUK	Prohibits cosmetic products and personal care products that contain mercury.	On the Governor's Desk
S8357	LANZA	Extends, from December 31, 2022 to December 31, 2023, the expiration of the authorization granted to residential property owners in high risk brush fire areas on Staten Island to cut and remove reeds from their property.	Chapter 266 of 2022
S8378C	HARCKHAM	Prohibits the application of pesticides to certain local freshwater wetlands for local governments that have implemented a freshwater wetlands protection law; provides that any local law or ordinance adopted pursuant to this section shall take effect on the first day of January after it shall have been adopted.	On the Governor's Desk
S8431A	PARKER	Directs the department of environmental conservation, in consultation with the environmental justice interagency coordinating council and the climate justice working group, to conduct a study on the impacts of the urban heat island effect on disadvantaged communities.	Chapter 563 of 2022
S8595	KAMINSKY	Extends certain provisions relating to an environmental facility and cancer incidence map until May 1, 2028.	Chapter 197 of 2022
S8816A	ADDABBO	Relates to the filling of borrow pits in Jamaica Bay; directs the department of environmental conservation to conduct a study on ecological restoration needs in Jamaica Bay.	Vetoed Memorandum 99

S8888A	SERINO	Designates Lake Peekskill as an inland waterway for the purposes of waterfront revitalization. Eff. Date 06/30/2022	Chapter 340 of 2022
S8969	MARTUCCI	Adds Otter Kill Creek to the definition of inland waterways	Chapter 342 of 2022
S9000	KAMINSKY	Extends certain provisions relating to the repair of damaged pesticide containers.	Chapter 290 of 2022
S9003	KAPLAN	Extends the authority of the department of environmental conservation to fix open season and bag limits for pheasant hunting on Long Island by individuals who hold a junior license. Department of Environmental Conservation	Chapter 300 of 2022
S9140	MATTERA	Establishes the Flax Pond tidal wetlands sanctuary; prohibits the use of motor boats in the Flax Pond tidal wetlands sanctuary.	On the Governor's Desk
S9181	KAMINSKY	Permits the leasing of state-owned underwater lands for seaweed cultivation.	On the Governor's Desk
S9232	HARCKHAM	Extends provisions of law relating to the taking of sharks.	Chapter 303 of 2022
S9299	BROOKS	Extends the authority of the department of environmental conservation to manage weakfish.	Chapter 306 of 2022
S9300	BROOKS	Extends the authority of the department of environmental conservation in relation to managing hickory shad.	Chapter 302 of 2022
S9301	MANNION	Extends the authority of the department of environmental conservation to manage oysters until December 31, 2025.	Chapter 367 of 2022
S9302	MAY	Extends the authority of the department of environmental conservation to manage by regulation open seasons, size and catch limits and manner of taking of all species of fish.	Chapter 368 of 2022
S9303	THOMAS	Extends the authority of the department of environmental conservation to manage blackfish.	Chapter 297 of 2022
S9304	THOMAS	Extends the authority of the department of environmental conservation to manage American eel from 2022 to 2025.	Chapter 296 of 2022

S9305	MAY	Extends the authority of the department of environmental conservation in relation to managing alewife.	Chapter 298 of 2022
S9306	MANNION	Extends the authority of the department of environmental conservation to manage clams until December 31, 2025.	Chapter 369 of 2022
S9307	GAUGHRAN	Extends the authority of the department of environmental conservation to manage bluefish from 2022 to 2025.	Chapter 307 of 2022
S9312	HINCHEY	Relates to commercial food fish licenses; extends such licensing for an additional year to 2023.	On the Governor's Desk
S9313	STEWART-COUSINS	Extends the authority of the department of environmental conservation in relation to managing American shad.	Chapter 305 of 2022
S9330	GAUGHRAN	Allows a municipality to offset costs for municipal recycling projects by applying for additional funding without limiting the availability of state funding.	On the Governor's Desk
S9339	HINCHEY	Extends the indemnification to certain communities relating to the Hudson river valley greenway.	Chapter 431 of 2022
S9345	PALUMBO	Prohibits the hunting of wild deer in the town of Southampton, county of Suffolk on state lands adjacent to a licensed wildlife rehabilitation facility.	On the Governor's Desk
S9354	SKOUFIS	Adds Black Meadow Creek to the definition of inland waterways. Eff. Date 06/30/2022	Chapter 352 of 2022
S9355	HELMING	Extends provisions authorizing hunting big game by rifle in the county of Tompkins until 2024.	Chapter 299 of 2022
S9419	KAMINSKY	Relates to the regulation of taking crabs, including minimum and maximum size limits, open and closed seasons including lunar closures, and a prohibition on the harvest of crabs in amplexus.	Chapter 243 of 2022

SUMMARY OF COMMITTEE ACTIVITY

Bill-No	Sponsor	Summary	Significant Action
S655	HARCKHAM	Creates a program to assist lake associations with water quality improvement.	Passed Senate Only
S659	MAY	Relates to agreements, such as leases or easements, related to renewable energy development rights on reforestation areas.	Passed Senate Only
S699D	HOYLMAN	Enacts the birds and bees protection act	Advanced to Third reading
S1031C	STEWART-COUSINS	Makes provisions regarding the siting of environmental facilities in minority communities, economically distressed areas or disadvantaged communities	Advanced to Third reading
S1093A	GAUGHRAN	Excludes deer management professionals retained by the incorporated village of Lloyd Harbor, or the incorporated village of Upper Brookville from the hunting rifle ban on Long Island.	Passed Senate
S1103A	KAMINSKY	Establishes the bottle redemption fraud task force to provide the governor and the legislature with information on the fraud, enforcement, and reporting requirements related to the New York state returnable container act.	Passed Senate
S1185C	KAMINSKY	Establishes the extended producer responsibility act	Reported to Finance Committee
S1232	GIANARIS	Declares a policy of equal treatment of people of all races, cultures, religions, incomes, education levels, disabilities, gender identity/expression and sexual preference in the development and enforcement of environmental laws, regulations and policies.	Passed Senate
S1237	GIANARIS	Relates to the general civil penalty of the environmental conservation law; provides that in addition to the fines, such person may be enjoined from continuing such violation and any permit or certificate issued to such person may be revoked or suspended, or a pending renewal application may be denied.	Passed Senate
S1421	SERRANO	Prohibits the lease of state forests, wildlife management areas and unique areas for the purpose of gas production.	Passed Senate

S2814	SEPULVEDA	Enacts the "Big Five African Trophies Act" relating to banning the importation, transportation and possession of certain African wildlife species and products. Criminal Sanction Impact.	Passed Senate
S2937	KAMINSKY	Prohibits fuel oil, grade number four in any building or facility in the state on and after July 1, 2027.	Passed Senate
S2962B	PARKER	Establishes the clean fuel standard of 2022	Advanced to Third reading
S2995	HARCKHAM	Provides an exemption from requirements for the alienation of parkland for renewable energy generating projects with a generating capacity not exceeding two megawatts and which are located above real property currently used for vehicle parking.	Passed Senate
S3211B	RAMOS	Requires applicants for major projects located near a disadvantaged community to submit an enhanced public participation plan.	Passed Senate
S3232	SANDERS	Relates to the use of waste tire management and recycling fee funds; directs certain funds to be used by the department of economic development for funding demonstration projects relating to reuse in agricultural settings and for conducting analysis of waste tire reuse opportunities.	Passed Senate
S3331B	RIVERA	Relates to the regulation of ingredients in personal care products and cosmetics	Advanced to Third reading
S4203	ADDABBO	Requires putrescible and non-putrescible waste to be covered by a hard tarp when transported by rail.	Passed Senate
S4251	SKOUFIS	Extends the effectiveness of certain provisions relating to defining spearguns and allowing recreational spearfishing in New York's marine and coastal waters.	Passed Senate
S4341	KAMINSKY	Relates to the harvesting of Jonah crabs; provides a holder of a commercial crab permit shall not exceed the bycatch limit of Jonah crab unless they request a special permit.	Passed Senate
S5116C	HARCKHAM	Related to freshwater wetlands; repealer	Advanced to Third reading
S5183	STEC	Authorizes the forest ranger force to establish a training program for volunteer search and rescue personnel to assist the forest rangers	Advanced to Third reading

S6172A	HOYLMAN	Prohibits the disabling, removal or interference with emission control devices and the use of emission tampering devices; provides remedies for the violation of such provisions.	Passed Senate
S6282C	KAVANAGH	Authorizes certain community composting operations to use parklands without violating alienation laws or restrictions	Advanced to Third reading
S6842A	COMRIE	Provides a permit for a memorial lands facility.	Passed Senate
S7419	HARCKHAM	Requires the disclosure of insurance information, including the name of the insurance company, the amount of coverage and what is covered under their plan, on permit applications for the construction of pipelines upon any freshwater wetlands.	Passed Senate
S7641A	STEC	Allows aquatic plant growth control districts to also control certain invasive species.	Passed Senate
S8281C	GAUGHRAN	Creates the goal of the state that one hundred percent of trains purchased by the state or any public authority thereof for commuter rail service be zero-emissions by 2035	Reported to Finance Committee
S8469	KAMINSKY	Requires heating oil sold for use in any building in the state to be bioheating fuel that contains minimum percentages of biodiesel and/or renewable hydrocarbon diesel	Advanced to Third reading
S8474	SANDERS	Relates to the definition of coal tar and its use in pavement products.	Passed Senate
S8579	COMRE	Related to directing the department of environmental conservation to conduct a study to identify potential sites along all highways and thruways in the state for wildlife crossings; repealer	Advanced to Third reading
S8649	PARKER	Relates to the use of body-worn cameras by police officers; requires the department of environmental conservation and the office of parks, recreation and historic preservation establish a program to provide and require officers to wear body-worn cameras while on patrol.	Passed Senate
S8828A	MAYER	Requires the department of environmental conservation to authorize and encourage the use of nature-based solutions as the preferred alternative for stabilizing tidal shorelines in the state; provides such solutions should be considered when promulgating and implementing rules and regulations relating to such.	Passed Senate
S9352	LANZA	Relates to requiring notice to neighboring landowners within one thousand feet of intention to develop in wetland areas; requires a public hearing on a wetland application.	Passed Senate



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