

STATE OF NEW YORK

10490

IN ASSEMBLY

April 2, 2010

Introduced by M. of A. ENGLEBRIGHT, MENG, DINOWITZ, SKARTADOS, LIFTON, COLTON, GOTTFRIED, ROSENTHAL, CHRISTENSEN, GUNTHER, TITONE, CASTRO, MILLMAN, CRESPO, GLICK, M. MILLER, BARRON, JAFFEE, MARKEY -- Multi-Sponsored by -- M. of A. LENTOL, MAGEE, NOLAN, PHEFFER, SCARBOROUGH, THIELE, WEISENBERG -- read once and referred to the Committee on Environmental Conservation

AN ACT to establish a moratorium upon conducting hydraulic fracturing pending the issuance of a report thereon by the federal Environmental Protection Agency; and providing for the repeal of such provisions upon the expiration thereof

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

1 Section 1. (a) Notwithstanding any provision of law to the contrary,
2 there is hereby established a moratorium upon the conducting of hydrau-
3 lic fracturing in the state. The purpose of such moratorium shall be to
4 afford the state and its residents the opportunity to review a report to
5 be issued by the federal Environmental Protection Agency on the effects
6 of hydraulic fracturing on water quality and public health.
7 (b) For the purposes of this section, "hydraulic fracturing" shall
8 mean fracturing of rock by man-made fluid-driven fracturing techniques
9 for the purpose of stimulating natural gas or oil well production.
10 § 2. This act shall take effect immediately, and shall expire and be
11 deemed repealed on the one hundred twentieth day after the federal Envi-
12 ronmental Protection Agency issues a report on the effects of hydraulic
13 fracturing on water quality and public health. Provided, that the
14 commissioner of environmental conservation shall notify the legislative
15 bill drafting commission upon the issuance by the federal Environmental
16 Protection Agency of the report on the effects of hydraulic fracturing
17 on water quality and public health referred to in subdivision (a) of
18 section one of this act in order that such commission may maintain an
19 accurate and timely effective data base of the official text of the laws
20 of the state of New York in furtherance of effectuating the provisions
21 of section 44 of the legislative law and section 70-b of the public
22 officers law.

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

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