



General Assembly

Amendment

January Session, 2009

LCO No. 6936

SB0107806936SD0

Offered by:
SEN. MEYER, 12th Dist.

To: Senate Bill No. 1078

File No. 471

Cal. No. 358

"AN ACT ESTABLISHING A BI-STATE LONG ISLAND SOUND COMMISSION."

1 In line 32, after "Valley" insert ", provided the commission's review
2 and consideration of issues involving the valley shall be limited to
3 issues in the valley that affect Long Island Sound"

4 Strike section 2 in its entirety

5 After the last section, add the following and renumber sections and
6 internal references accordingly:

7 "Sec. 501. Section 25-140 of the general statutes is repealed and the
8 following is substituted in lieu thereof (*Effective July 1, 2009*):

9 The committee may make such recommendations as may be
10 necessary to effectuate the purposes of this part, except for any major
11 environmental, ecological or energy issue involving Long Island
12 Sound and the Lower Hudson River Valley that is under review by the
13 Bi-State Long Island Sound Commission established pursuant to

14 section 1 of this act. In furtherance of its responsibilities under this
15 part, the committee shall coordinate and recommend standardization
16 of all laws relative to Long Island Sound including, but not limited to,
17 standardization of jurisdiction of coastal waters by harbor
18 management commissions, municipal waterfront authorities,
19 municipal conservation commissions, municipal port authorities and
20 municipal shellfish commissions. The committee shall consider the
21 adverse impact any action proposed in or for Long Island Sound may
22 have upon the marine resources of said sound. The committee shall
23 prepare and submit a report to the governors and the legislatures of
24 the respective states on or before February fifteenth, annually."

25 Sec. 502. Section 25-140 of the general statutes, as amended by
26 section 3 of public act 05-137, is repealed and the following is
27 substituted in lieu thereof (*Effective upon the enactment by the state of*
28 *New York of legislation having like effect as this section*):

29 The committee may make such recommendations as may be
30 necessary to effectuate the purposes of this part, except for any major
31 environmental, ecological or energy issue involving Long Island
32 Sound and the Lower Hudson River Valley that is under review by the
33 Bi-State Long Island Sound Commission established pursuant to
34 section 1 of this act. In furtherance of its responsibilities under this
35 part, the committee may coordinate and recommend standardization
36 of all laws relative to Long Island Sound including, but not limited to,
37 standardization of jurisdiction of coastal waters by harbor
38 management commissions, municipal waterfront authorities,
39 municipal conservation commissions, municipal port authorities and
40 municipal shellfish commissions. The committee shall consider the
41 adverse impact any action proposed in or for Long Island Sound may
42 have upon the public trust resources of said sound. The committee
43 shall prepare and submit a report to the governors and the legislatures
44 of the respective states on or before February fifteenth, annually. The
45 report shall make recommendations for legislation regarding proposed
46 industrialization and private use of public trust resources of Long
47 Island Sound. In developing such recommendations, the committee

48 shall seek to (1) avoid, (2) minimize, and (3) mitigate the impacts of
49 such proposed industrialization and private use of public trust
50 resources of said sound. For the purposes of this section, "public trust
51 resources" shall include, but not be limited to, the historic and broad
52 boating use of said sound by the public, the right of the public to enjoy
53 and explore the natural beauty of said sound by boat, the rights of the
54 public and commercial fishermen to harvest fish and shellfish from
55 said sound, the protection of all natural resources of said sound that
56 are held in trust by the state for the public, the stewardship and
57 restoration of sites along the coast of said sound that contain important
58 habitat or natural resources and the protection of sites that provide
59 opportunities for public enjoyment of said sound."