



## **A.3420 (SWEENEY, ET AL.) S.862 (MARCELLINO)**

### **Summary**

This bill amends the state's Environmental Conservation Law and Executive Law to establish the New York State Health Protection Act. The measure would make it state policy to take precautionary measures to protect public health and the environment. It would further make a lack of full scientific certainty insufficient cause to postpone precautionary action to protect public health on the part of state or local governments.

### **Explanation**

Public health and environmental policy have traditionally been reactive to potential or probable threats. However, fundamental uncertainties exist throughout the greater scientific community's understanding of our ecosystem and the affect of human interactions on our physical and environmental health. As a result, environmentally harmful activities have only been stopped after they have manifested extreme environmental degradation or exposed people to harm. The central tenet of a precautionary approach to decision-making is that government, businesses and society have a duty to prevent harm to public health and the environment when credible evidence exists that harm is occurring or is likely to occur, even when the exact nature and full magnitude of that harm is not yet known. Precautionary decision-making involves the careful assessment of a broad range of options using the best available science to select the safest and most sustainable and feasible solutions.

The proposed legislation would establish criteria for implementing the precautionary principle in state and local government decision-making, including:

- the public's right to information about public health and environmental risks;
- an assessment of alternatives that evaluate and assess the long- and short-term effects and costs of the proposed action or product; and
- public participation in decision-making that might affect public health or the environment.

Learning to heed early warnings of harm, putting safety and prevention first, encouraging innovation, and creating and choosing the safest, most sustainable technologies, products, and practices will help to ensure the highest possible quality of life for all New Yorkers.

**Environmental Advocates of New York supports this bill.**

**Memo 48**