



**Tompkins County Council of Governments**

Governor Daniel D. Tompkins Building  
Ithaca, NY 14850

Meeting: 04/25/19 03:00 PM  
Department: Tompkins County Council of Governments  
Category: Environmental  
Functional Category:

DOC ID: 8597

**ADOPTED**

**RESOLUTION NO. 003-2019**

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**RESOLUTION OF THE TOMPKINS COUNTY COUNCIL OF GOVERNMENTS IN SUPPORT OF NEW YORK STATE ASSEMBLY AND SENATE BILLS TO ESTABLISH A PROCESS FOR THE ADOPTION OF AN ENVIRONMENTAL BILL OF RIGHTS**

WHEREAS, the Tompkins County Council of Governments (TCCOG) supports the right of each resident to clean air and water, and

WHEREAS, in the United States there are many states/commonwealths with Constitutions that contain some form of “environmental rights” or expression of environmental values, and

WHEREAS, it is the constitutional duty of all levels of government within New York State to protect the health, safety and welfare of their residents giving residents a right to live and work in a clean environment, and

WHEREAS, communities in NYS like Hoosick Falls, Long Island and Newburgh, along with many other communities throughout the United States like Flint, Michigan and Toledo, Ohio have suffered contaminated water systems caused by lack of intervention and/or protection by either government and/or private interests, and

WHEREAS, throughout the Cayuga Lake Watershed, municipalities and individuals draw drinking water that has in recent years been affected by Harmful Algal Blooms making treatment more expensive for municipal water supplies, and sometimes impossible for individual households that draw water directly from the lake, and

WHEREAS, there is at present a uniform bill before both the New York State Assembly (A. 2064 [Englebright, Gottfried, et al.]) and the New York State Senate (S. 2072 [Carlucci et al.]) to add the following language to the New York State Constitution that will formally establish in the New York State Constitution a right to clean water, clean air, and a healthful environment:

“RESOLVED, that article 1 of the constitution be amended by adding a new section 19 to read as follows:  
§ 19. Environmental rights. Each person shall have a right to clean air and water, and a healthful environment”

, and

WHEREAS, formally establishing such a civil environmental right will help drive better government decision-making at all levels, helping prevent conditions in which land, water and air become contaminated, and

WHEREAS, establishing such a right will also affect individuals and private enterprise and promote better decision-making based on the New York Constitution’s acknowledgement that all residents have environmental rights, and

WHEREAS, passing these bills will address a gap in the state’s legal foundations and provide an expression of values that other states have already seen fit to establish, now therefore be it

RESOLVED, That the Tompkins County Council of Governments supports a New York Environmental Bill of Rights Amendment, Assembly Bill 2064 and Senate Bill 2072, amending Article 1, the Bill of Rights, of the New York State Constitution by inserting a new Section 19, reading: *“Each person shall have a right to clean air and water, and a*

*healthful environment.*” which recognizes the inalienable and self-executing right of all New Yorkers to clean water, clean air, and a healthful environment,

RESOLVED, further, That this right be as fundamental as a person’s right to freedom of speech and assembly,

RESOLVED, further, That this resolution be sent to Governor Andrew Cuomo, State Senate Leader Andrea Stewart-Cousins, State Assembly Leader Carl Heastie, State Assemblywoman Barbara Lifton, State Senator Tom O’Mara, State Senator Carlucci, State Assembly people Englebright and Gottfried, County Legislative Chair Martha Robertson.

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF TOMPKINS)

I hereby certify that the foregoing is a true and correct transcript of a resolution adopted by the Tompkins County Council of Governments on April 25, 2019.

Catherine Covert, Staff  
Tompkins County Council of Governments