S T A T E O F N E W Y O R K

6453--A

Cal. No. 440

2009-2010 Regular Sessions

I N A S S E M B L Y

March 4, 2009

Introduced by M. of A. ORTIZ, WEISENBERG, COOK, GALEF -- Multi-Sponsored by -- M. of A. CAHILL, CLARK, FARRELL, GIANARIS, HEASTIE, JACOBS, MAGEE, MAYERSOHN, McENENY, MILLMAN, ROBINSON, SCARBOROUGH, SWEENEY -- read once and referred to the Committee on Education -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the education law and the public health law, in relation to establishing a program to coordinate the donation of excess food from school meal programs to voluntary food assistance programs

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 305 of the education law is amended by adding a new subdivision 42 to read as follows:

42. THE COMMISSIONER SHALL COOPERATE WITH THE COMMISSIONER OF HEALTH TO FACILITATE, AS ALLOWED UNDER APPLICABLE FEDERAL AND STATE RULES, THE DONATION OF EXCESS, UNUSED, EDIBLE FOOD FROM MEAL PROGRAMS AT SCHOOLS, UNIVERSITIES AND OTHER EDUCATIONAL INSTITUTIONS UNDER THE DEPARTMENT'S JURISDICTION TO VOLUNTARY FOOD ASSISTANCE PROGRAMS IDENTIFIED BY THE DEPARTMENT OF HEALTH. THE DEPARTMENT'S RESPONSIBILITIES SHALL INCLUDE PROVIDING CONTACT INFORMATION FOR SCHOOL AND OTHER EDUCATIONAL INSTITUTION MEAL PROGRAMS TO THE DEPARTMENT OF HEALTH, AND DISSEMINATING TO SCHOOLS INFORMATION ABOUT THE DONATION OF UNUSED FOOD AND LISTS OF LOCAL FOOD PROGRAMS CAPABLE OF ACCEPTING SUCH FOOD.

S 2. Section 206 of the public health law is amended by adding a new subdivision 27 to read as follows:

27. THE COMMISSIONER SHALL FACILITATE EFFORTS BY SCHOOL AND OTHER EDUCATIONAL INSTITUTION MEAL PROGRAMS TO DONATE EXCESS, UNUSED, EDIBLE FOOD TO VOLUNTARY FOOD ASSISTANCE PROGRAMS IDENTIFIED BY THE DEPARTMENT. THE DEPARTMENT'S RESPONSIBILITIES SHALL INCLUDE IDENTIFYING LOCAL PROGRAMS CAPABLE OF ACCEPTING SUCH FOOD, AND PROVIDING INFORMATION AND TECHNICAL ASSISTANCE ABOUT DONATION OF SUCH FOOD AND PARTICIPATING FOOD PROGRAMS TO THE EDUCATION DEPARTMENT AND SCHOOL AND OTHER EDUCATIONAL INSTITUTION MEAL PROGRAMS.

S 3. This act shall take effect immediately.

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

LBD09936-03-0