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

4288

2011-2012 Regular Sessions

I N S E N A T E

March 28, 2011

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Agriculture

AN ACT to amend the agriculture and markets law and the education law, in relation to authorizing school districts and institutions of higher education to donate excess food to local voluntary food assistance programs

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

Section 1. Section 16 of the agriculture and markets law is amended by adding a new subdivision 5-c to read as follows:

5-C. COOPERATE WITH THE COMMISSIONER OF EDUCATION, PURSUANT TO SUBDIVISION THIRTY-TWO OF SECTION THREE HUNDRED FIVE OF THE EDUCATION LAW, TO DEVELOP GUIDELINES FOR THE VOLUNTARY IMPLEMENTATION BY SCHOOL DISTRICTS AND INSTITUTIONS OF HIGHER EDUCATION, AS DEFINED IN SUBDIVISION EIGHT OF SECTION TWO OF THE EDUCATION LAW, OF PROGRAMS WHICH ENCOURAGE THE DONATION OF EXCESS, UNUSED, EDIBLE FOOD FROM MEALS SERVED AT SUCH EDUCATIONAL FACILITIES TO LOCAL VOLUNTARY FOOD ASSISTANCE PROGRAMS.

S 2. Section 305 of the education law is amended by adding a new subdivision 32 to read as follows:

32. THE COMMISSIONER, IN CONSULTATION AND COOPERATION WITH THE COMMISSIONER OF AGRICULTURE AND MARKETS, SHALL DEVELOP VOLUNTARY GUIDELINES TO ENCOURAGE AND FACILITATE THE ABILITY OF SCHOOL DISTRICTS AND INSTITUTIONS OF HIGHER EDUCATION TO DONATE EXCESS, UNUSED, EDIBLE FOOD FROM MEALS SERVED AT SUCH EDUCATIONAL FACILITIES TO LOCAL VOLUNTARY FOOD ASSISTANCE PROGRAMS INCLUDING, BUT NOT LIMITED TO, COMMUNITY FOOD PANTRIES, SOUP KITCHENS, AND OTHER COMMUNITY AND NOT-FOR-PROFIT ORGANIZATIONS THAT DISTRIBUTE FOOD TO THE POOR AND DISADVANTAGED.

SUCH GUIDELINES MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

A. A METHODOLOGY TO PROVIDE INFORMATION TO EDUCATIONAL INSTITUTIONS AND LOCAL VOLUNTARY FOOD ASSISTANCE PROGRAMS OF THE PROVISIONS OF SUCH GUIDELINES;

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

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B. A MEANS BY WHICH EDUCATIONAL INSTITUTIONS ARE PROVIDED WITH THE NAMES AND ADDRESSES OF ALL NEARBY LOCAL VOLUNTARY FOOD ASSISTANCE PROGRAMS;

C. A MEANS BY WHICH LOCAL VOLUNTARY FOOD ASSISTANCE PROGRAMS ARE PROVIDED WITH THE NAMES AND ADDRESSES OF NEARBY EDUCATIONAL INSTITUTIONS WHICH SERVE MEALS UPON THEIR PREMISES;

D. NOTIFICATION TO EDUCATIONAL INSTITUTIONS OF THEIR ABILITY TO ELECT TO DONATE EXCESS, UNUSED, EDIBLE FOOD TO LOCAL VOLUNTARY FOOD ASSISTANCE PROGRAMS; AND

E. THE PROVISION OF INFORMATION AND TECHNICAL ASSISTANCE ON THE MANNER OF HOW TO BEST DONATE EXCESS FOOD IN A SAFE AND SANITARY MANNER.

THE COMMISSIONER SHALL COORDINATE THE IMPLEMENTATION OF SUCH GUIDELINES WITH THE FARM-TO-SCHOOL PROGRAM AND THE NEW YORK HARVEST FOR NEW YORK KIDS WEEK PROGRAM ESTABLISHED PURSUANT TO SUBDIVISION FIVE-B OF SECTION SIXTEEN OF THE AGRICULTURE AND MARKETS LAW.

S 3. This act shall take effect immediately.