

5218

2013-2014 Regular Sessions

I N   A S S E M B L Y

February 21, 2013

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Introduced by M. of A. ORTIZ, WEISENBERG, COOK, GALEF -- Multi-Sponsored  
by -- M. of A. CAHILL, CLARK, FARRELL, HEASTIE, JACOBS, MAGEE, MILL-  
MAN, ROBINSON, SCARBOROUGH, SWEENEY -- read once and referred to the  
Committee on Education

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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

- 1     Section 1. Section 16 of the agriculture and markets law is amended by  
2     adding a new subdivision 5-c to read as follows:  
3     5-C. COOPERATE WITH THE COMMISSIONER OF EDUCATION, PURSUANT TO SUBDI-  
4     VISION THIRTY-TWO OF SECTION THREE HUNDRED FIVE OF THE EDUCATION LAW, TO  
5     DEVELOP GUIDELINES FOR THE VOLUNTARY IMPLEMENTATION BY SCHOOL DISTRICTS  
6     AND INSTITUTIONS OF HIGHER EDUCATION, AS DEFINED IN SUBDIVISION EIGHT OF  
7     SECTION TWO OF THE EDUCATION LAW, OF PROGRAMS WHICH ENCOURAGE THE  
8     DONATION OF EXCESS, UNUSED, EDIBLE FOOD FROM MEALS SERVED AT SUCH EDUCA-  
9     TIONAL FACILITIES TO LOCAL VOLUNTARY FOOD ASSISTANCE PROGRAMS.  
10    S 2. Section 305 of the education law is amended by adding a new  
11    subdivision 32 to read as follows:  
12    32. THE COMMISSIONER, IN CONSULTATION AND COOPERATION WITH THE COMMIS-  
13    SIONER OF AGRICULTURE AND MARKETS, SHALL DEVELOP VOLUNTARY GUIDELINES TO  
14    ENCOURAGE AND FACILITATE THE ABILITY OF SCHOOL DISTRICTS AND INSTI-  
15    TUTIONS OF HIGHER EDUCATION TO DONATE EXCESS, UNUSED, EDIBLE FOOD FROM  
16    MEALS SERVED AT SUCH EDUCATIONAL FACILITIES TO LOCAL VOLUNTARY FOOD  
17    ASSISTANCE PROGRAMS INCLUDING, BUT NOT LIMITED TO, COMMUNITY FOOD  
18    PANTRIES, SOUP KITCHENS, AND OTHER COMMUNITY AND NOT-FOR-PROFIT ORGAN-  
19    IZATIONS THAT DISTRIBUTE FOOD TO THE POOR AND DISADVANTAGED.  
20    SUCH GUIDELINES MAY INCLUDE, BUT NEED NOT BE LIMITED TO:

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

LBD06714-01-3

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

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

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

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

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

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

19 S 3. This act shall take effect on the one hundred eightieth day after  
20 it shall have become a law.