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

4410

2013-2014 Regular Sessions

I N S E N A T E

March 26, 2013

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to recovery, reuse and recycling of hardcover books

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

Section 1. Article 27 of the environmental conservation law is amended by adding a new title 29 to read as follows:

TITLE 29

HARDCOVER BOOK RECOVERY, REUSE AND RECYCLING

SECTION 27-2901. DEFINITION.
27-2903. DISPOSAL OF HARDCOVER BOOKS; PROHIBITED.
27-2905. DEPARTMENT RESPONSIBILITIES.
27-2907. RESPONSIBILITIES OF MUNICIPALITIES.
27-2909. HARDCOVER BOOK RECYCLERS.

S 27-2901. DEFINITION.

AS USED IN THIS TITLE, "HARDCOVER BOOK" MEANS A BOOK BOUND IN CLOTH, CARDBOARD OR LEATHER. SUCH TERM SHALL NOT INCLUDE PAPERBACK BOOKS.

S 27-2903. DISPOSAL OF HARDCOVER BOOKS; PROHIBITED.

IT SHALL BE UNLAWFUL TO DISPOSE OF A HARDCOVER BOOK AS SOLID WASTE OR TO INCINERATE A HARDCOVER BOOK.

S 27-2905. DEPARTMENT RESPONSIBILITIES.

THE DEPARTMENT SHALL:

1. INVENTORY EXISTING VOLUNTARY MUNICIPAL SOLID WASTE MANAGEMENT PROGRAMS THAT INCLUDE RECOVERY, REUSE AND RECYCLING OF HARDCOVER BOOKS AND MAKE THE INFORMATION DERIVED FROM SUCH INVENTORY AVAILABLE TO ALL MUNICIPALITIES. WHEN MUNICIPALITIES ESTABLISH THEIR PERMANENT PROGRAMS, THIS INFORMATION SHALL ALSO BE SHARED WITH OTHER MUNICIPALITIES;

2. PROMINENTLY POST INFORMATION ABOUT MUNICIPAL HARDCOVER BOOK RECOVERY, REUSE, AND RECYCLING PROGRAMS ON ITS WEBSITE; AND

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

LBD04351-01-3

3. ENSURE THAT ALL MUNICIPALITIES ARE NOTIFIED OF THE HARDCOVER BOOK DISPOSAL PROHIBITION AND THE REQUIREMENTS OF THIS TITLE.

S 27-2907. RESPONSIBILITIES OF MUNICIPALITIES.

MUNICIPALITIES ARE ENCOURAGED TO ESTABLISH PROGRAMS TO COLLECT, REDISTRIBUTE, REUSE AND RECYCLE UNWANTED BOOKS. MUNICIPALITIES MAY CONTRACT WITH THIRD PARTY ORGANIZATIONS OR BUSINESSES FOR THE COLLECTION, REDISTRIBUTION AND RECYCLING OF UNWANTED HARDCOVER BOOKS. MUNICIPALITIES SHALL SEND ALL INFORMATION DESCRIBING THE ESTABLISHMENT AND IMPLEMENTATION OF THEIR VOLUNTARY PROGRAMS TO RECOVER, REDISTRIBUTE, REUSE OR RECYCLE HARDCOVER BOOKS TO THE DEPARTMENT.

WITHIN TWO YEARS OF THE EFFECTIVE DATE OF THIS TITLE, EVERY MUNICIPALITY SHALL ESTABLISH A PROGRAM TO RECOVER, REDISTRIBUTE, REUSE OR RECYCLE HARDCOVER BOOKS. MUNICIPALITIES MAY ESTABLISH JOINT PROGRAMS WITH OTHER MUNICIPALITIES, OR CONTRACT WITH THIRD PARTY ORGANIZATIONS OR BUSINESSES TO RECOVER, REDISTRIBUTE, REUSE OR RECYCLE HARDCOVER BOOKS. MUNICIPALITIES SHALL SEND ALL INFORMATION DESCRIBING THE ESTABLISHMENT AND IMPLEMENTATION OF THEIR PROGRAMS TO RECOVER, REDISTRIBUTE, REUSE OR RECYCLE HARDCOVER BOOKS TO THE DEPARTMENT.

MUNICIPALITIES SHALL KEEP RECORDS OF THEIR HARDCOVER BOOK RECOVERY, REUSE, REDISTRIBUTION AND RECYCLING PROGRAMS, INCLUDING TONNAGES OF BOOKS COLLECTED, BOOKS REDISTRIBUTED FOR REUSE, BOOKS RECYCLED AND THE RECYCLING COMPANIES UTILIZED.

S 27-2909. HARDCOVER BOOK RECYCLERS.

EVERY PERSON OR ENTITY ENGAGED IN THE RECOVERY AND RECYCLING OF HARDCOVER BOOKS SHALL ANNUALLY PROVIDE DOCUMENTATION TO THE DEPARTMENT OF THE TONNAGE OF HARDCOVER BOOKS RECEIVED FROM EACH MUNICIPALITY WITH WHICH IT CONTRACTS, AND THE PERSONS OR ENTITIES TO WHICH THE RECYCLED HARDCOVER BOOKS ARE SENT.

S 2. This act shall take effect immediately.