STATE OF NEW YORK

3785

2021-2022 Regular Sessions

IN ASSEMBLY

January 28, 2021

Introduced by M. of A. BURKE -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to requiring state and municipal governmental entities have a recycling program

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 32 to read as follows:

TITLE 32

STATE AND LOCAL GOVERNMENT RECYCLING

Section 27-3201. Definitions.
27-3203. Required state and municipal recycling programs.
27-3205. Powers of municipalities.

§ 27-3201. Definitions.

For the purposes of this title, the following terms shall have the following meanings:

1. "Agency" means any state department, agency, board, public benefit corporation, public authority, or commission.

2. "Local education agency" means a school district, board of cooperative educational services, community college, agricultural and technical college, state university of New York college of technology and a center for advanced technology designated pursuant to section thirty-one hundred two-a of the public authorities law, and other postsecondary providers of career education as set forth annually by the commissioner as eligible recipients under the federal vocational education act of nineteen hundred eighty-four.

3. "Municipality" means any town, village, city, county, district, special improvement district or other improvement district, including, but not limited to, special districts created pursuant to article eleven, twelve, twelve-A or thirteen of the town law, library districts, and

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

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other districts created by law or any designated agency or subdivision thereof including, but not limited to, any courts, programs and facilities.

§ 27-3203. Required state and municipal recycling programs.

1. All state agencies, local education agencies, municipalities, and other public entities within the state shall create a recycling program which shall include, but not be limited to:

(a) increase the amount of waste recycled;

(b) minimize its generation of waste;

(c) reduce the need for disposal of its generated waste; and

(d) provide collection and educational resources, including regular periodical guidance, training, updates, signage, and flyers, for its workforce and the public for the purposes of teaching and retaining effective procedures for sorting materials for recycling.

2. All state agencies, local education agencies, municipalities, and other public entities within the state shall provide to the commissioner information on its practices, including amounts of waste managed and recycled by various methods such as those implemented pursuant to subdivision one of this section, entities or resources utilized for reducing and managing such materials, or financing mechanisms and incentives utilized.

3. The provisions of this section shall not apply to contracts in effect on the effective date of this section; provided, however, that the provisions of this section shall apply to all renewals or extensions of such contracts entered into on or after the effective date of this section.

4. The department shall promote actions to take pursuant to the requirements of subdivision one of this section, and for all entities and the public to take in efforts to manage waste and establish a recycling program in a similar manner.

5. The department may report information to promote improved management waste and recycling programs, including information on practices and resources providing assistance for reducing such materials or promoting such programs, facilities accepting such materials, or financing mechanisms and incentives available for such practices and facilities.

§ 27-3205. Powers of municipalities.

All state agencies, local education agencies, municipalities, and other public entities within the state shall promulgate regulations, ordinances, or laws to take any and all reasonable actions necessary to implement and enforce this title. This title does not limit the authority of a local governmental agency to adopt, implement, or enforce requirements on management of waste management and recycling that are more stringent or comprehensive that the requirements of this title.

§ 2. This act shall take effect on the first of the month following the one hundred eightieth day after it shall have become a law.