STATE OF NEW YORK

3249

2023-2024 Regular Sessions

IN ASSEMBLY

February 2, 2023

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to establishing composting programs at state university of New York and city university of New York campuses

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 355 of the education law is amended by adding a new subdivision 22 to read as follows:

22. a. (i) The state university trustees shall adopt a policy requiring that each institution of the state university of New York shall, not later than one year after the effective date of this subdivision, establish a composting program in facilities owned, occupied or operated by such institution that shall, at a minimum:

(A) require that all compostable waste, including but not limited to food scraps, plant trimmings, food-soiled paper and certified compostable products from garbage and other recyclables be separated and placed in labeled containers;

(B) post and maintain signs with instructions on identifying and separating compostable waste from garbage and recyclables;

(C) ensure that students and employees place compostable waste in appropriately labeled containers and do not mix such waste with garbage or recyclables;

(D) ensure that containers are latched at the time of storage or set-out; and

(E) arrange for compostable waste to be transported and/or processed separately from garbage and recycling.

(ii) For the purposes of clause (E) of subparagraph (i) of this paragraph, each institution may arrange for collection of compostable waste by a private carter, transport such waste itself or process such waste on-site.

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

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b. As used in this subdivision:

(i) "compostable" means all the materials in the product will (A) undergo degradation by biological processes during composting to yield carbon dioxide, water, inorganic compounds, and biomass at a rate consistent with other known compostable materials; and (B) leave no visible, distinguishable or toxic residue, including no adverse impact on the ability of composts to support plant growth once the finished compost is placed in soil.

(ii) "facility" includes any dormitory as defined in section sixteen hundred seventy-six of the public authorities law and the grounds thereon, a cafeteria, dining hall or restaurant service operated by the institution or by a private food service management company, and facilities used for maintenance and landscaping services.

(iii) "employee", in addition to every member of the professional service and non-professional service of the state university, as defined in section three hundred fifty-five-a of this article, means any person employed by a third-party to render non-professional services to the university or an institution under the jurisdiction thereof pursuant to a contract therefor, including, but not limited to, cafeteria or restaurant services, landscaping services and maintenance services performed at a facility and the surrounding campus.

c. Beginning one year after the establishment of the program pursuant to paragraph a of this subdivision, and annually thereafter, each institution shall report to the trustees on such program, including, but not limited to (i) the amount of compostable waste collected; and (ii) the costs associated with such program.

d. By December first, two thousand twenty-six, and annually thereafter, the trustees shall post a report on its website detailing agency composting programs in the state. Such report shall include an evaluation of the effectiveness of such composting programs, and information on costs and collection rates.

§ 2. Section 6206 of the education law is amended by adding a new subdivision 22 to read as follows:

22. a. (i) The board of trustees shall adopt a policy requiring that each institution of the city university of New York shall, not later than one year after the effective date of this subdivision, establish a composting program in facilities owned, occupied or operated by such institution that shall, at a minimum:

(A) require that all compostable waste including but not limited to food scraps, plant trimmings, food-soiled paper and certified compostable products from garbage and other recyclables be separated and placed in labeled containers;

(B) post and maintain signs with instructions on identifying and separating compostable waste from garbage and recyclables;

(C) ensure that students and employees place compostable waste in appropriately labeled containers and do not mix such waste with garbage or recyclables;

(D) ensure that containers are latched at the time of storage or set-out; and

(E) arrange for compostable waste to be transported and/or processed separately from garbage and recycling.

(ii) For the purposes of clause (E) of subparagraph (i) of this paragraph, each institution may arrange for collection of compostable waste by a private carter, transport such waste itself or process such waste on-site.

b. As used in this subdivision:

(i) "compostable" means all the materials in the product will (A) undergo degradation by biological processes during composting to yield carbon dioxide, water, inorganic compounds, and biomass at a rate consistent with other known compostable materials; and (B) leave no visible, distinguishable or toxic residue, including no adverse impact on the ability of composts to support plant growth once the finished compost is placed in soil.

(ii) "facility" includes any dormitory as defined in section sixteen hundred seventy-six of the public authorities law and the grounds thereon, a cafeteria, dining hall or restaurant service operated by the institution or by a private food service management company, and facilities used for maintenance and landscaping services.

(iii) "employee", in addition to all instructional and non-instructional staff members, means any person employed by a third-party to render non-professional services to the city university of New York or an institution under the jurisdiction thereof pursuant to a contract therefor, including, but not limited to, cafeteria or restaurant services, landscaping services and maintenance services performed at a facility and the grounds thereon.

c. Beginning one year after the establishment of the program pursuant to paragraph a of this subdivision, and annually thereafter, each institution shall report to the trustees on such program, including, but not limited to (i) the amount of compostable waste collected; and (ii) the costs associated with such program.

d. By December first, two thousand twenty-six, and annually thereafter, the trustees shall post a report on its website detailing agency composting programs in the state. Such report shall include an evaluation of the effectiveness of such composting programs, and information on costs and collection rates.

§ 3. This act shall take effect immediately.