

TIMBER | MEMORANDUM OF SUPPORT

Codifying Executive Order 22

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Purpose: This legislation codifies Executive Order 22,¹ which (1) defines a range of sustainability concepts and initiatives and (2) reinforces the pre-existing directive to establish the GreenNY Council,² an interagency body charged with promulgating sustainable procurement specifications and implementing the decarbonization program for state-owned property, vehicles, and equipment.

Background: In May, Governor Hochul signed a state budget authorizing New York to spend \$229 billion in FY2024.³ Even with several major omissions, the Office of the State Comptroller's Local Governments Data shows that cities, counties, towns, villages, fire districts, school districts, and libraries reported over \$118 billion in revenue in 2021.⁴ All told, public entities account for a very substantial amount of economic activity in New York State. Although several major laws have helped to both define our climate and sustainability goals and ensure that our money is spent in a manner that is consistent with them,^{5,6} an outsized portion of that work has been led by decades of sprawling and occasionally overlapping executive orders directing agencies to prioritize sustainable purchasing and operations as it pertains to solid waste,⁷ public facilities,⁸ vehicle fleets,⁹ and more.

Since Governor Paterson's issuance of Executive Order 4 in 2008,¹⁰ GreenNY has been one of the major vehicles for establishing standards and practices that help state and local governments meet their sustainability, decarbonization, and public health objectives. Over a series of regular meetings, the interagency body has promulgated 89 approved green procurement specifications for products as varied as construction materials, cleaning supplies, electronics, vehicles, furniture, cookware, and much more.¹¹ The constellation of directives that guide their work was consolidated and updated under Executive Order 22,¹² which Governor Hochul signed in September 2022.

Justification: Because it decides how the government can and does spend public money, procurement is a very literal test of democratic accountability. The GreenNY Council works diligently to ensure that state and local governments use taxpayer dollars the way we intend them to. With over a decade of regular meetings and a prolific specification output, it can no longer be reasonably considered a temporary body or pilot program. Permanently codifying the program now would provide assurance to both the public and the affected agencies that New York State remains committed to its role as a leader in sustainable, equitable, and healthy purchasing. For these reasons, **TIMBER strongly supports this legislation.**

¹ https://www.governor.ny.gov/sites/default/files/2022-09/EO_22.pdf

² <https://ogs.ny.gov/greenny>

³ <https://www.budget.ny.gov/pubs/archive/fy24/ex/index.html>

⁴ <https://www.osc.state.ny.us/local-government/data>

⁵ <https://www.maggielclarkeenvironmental.com/SolidWasteManagementActof1988.pdf>

⁶ <https://www.suny.edu/sustainability/goals/clcpa/>

⁷ https://www.albany.edu/procurement/assets/Executive_Order_18.pdf

⁸ <https://www.governor.ny.gov/sites/default/files/atoms/files/EO%20%23166.pdf>

⁹ <https://www.lipower.org/wp-content/uploads/2020/11/1A-exorder111guidelines.pdf>

¹⁰ <https://ogs.ny.gov/greenny/executive-order-4>

¹¹ <https://ogs.ny.gov/greenny/approved-greenny-specifications>

¹² <https://www.governor.ny.gov/executive-order/no-22-leading-example-directing-state-agencies-adopt-sustainability-and>



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