2018 -- H 7699 SUBSTITUTE A

LC004942/SUB A/3

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

AN ACT

RELATING TO EDUCATION -- SCHOOL WASTE RECYCLING AND REFUSE DISPOSAL

<u>Introduced By:</u> Representatives Carson, Fogarty, Donovan, Ranglin-Vassell, and Ajello <u>Date Introduced:</u> February 28, 2018

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1	SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended	
2	by adding thereto the following chapter:	
3	CHAPTER 110	
4	SCHOOL WASTE RECYCLING AND REFUSE DISPOSAL	
5	16-110-1. Legislative findings.	
6	The general assembly recognizes and declares that:	
7	(1) The people of the state desire to promote a clean and wholesome school environment	
8	for our students and school staff;	
9	(2) A significant percentage of school waste is recyclable;	
10	(3) Any environmentally and economically sound solid waste management system must	
11	incorporate recycling and all solid waste capable of being recycled should be recycled;	
12	(4) A sound recycling program for all covered educational entities will best be achieved	
13	by cooperation of the Rhode Island resource recovery corporation, the department of	
14	environmental management, the Rhode Island department of education, and the cities and towns	
15	of the state;	
16	(5) Upon implementation, the program shall reduce food waste and paper waste at meal	
17	times and throughout the school day and should be encouraged statewide.	
18	16-110-2. Food service and refuse disposal.	
19	It shall be the policy of the state, the department of education, and any school district	

1	increander to require that any request for proposal (Krr) to select a rood service company		
2	(vendor) to provide food services to a single school district, regional school district or multiple		
3	school districts shall include, as part of its proposal, assurances that the vendor is in compliance		
4	with all laws relative to recycling and composting pursuant to chapter 18.9 of title 23.		
5	16-110-3. Food service – Local sources preferred.		
6	It shall be the policy of the state, the department of education and any school district		
7	thereunder to encourage that any request for proposal (RFP) to a food service company (vendor)		
8	to provide food services to a single school district, regional school district or multiple school		
9	districts to encourage the use of a vendor that purchases ten percent (10%) of the required food		
0	service product from a Rhode Island-based food service company. In addition, it shall also be the		
1	policy of the state, the department of education, and any school district thereunder, to encourage		
2	the use of vendors who recycle organic-waste materials at an authorized composting facility, ar		
.3	anaerobic digestion facility, or by another authorized recycling method, regardless of whether the		
4	entity purchasing the services is or is not a covered entity or a covered educational institution		
.5	pursuant to the provisions of § 23-18.9-17.		
6	16-110-4. Food donations.		
7	It shall be the policy of the state, the department of education and any school district		
8	thereunder to require that any request for proposal (RFP) to select a food service company		
9	(vendor) to provide food services to a single school district, regional school district or multiple		
20	school districts shall require the vendor to donate any nonperishable and/or unspoiled perishable		
21	food to local food banks or the Rhode Island Food Bank in accordance with the department of		
22	health regulations.		
23	16-110-5. Waste audit required.		
24	On or after January 1, 2019, and annually thereafter, every educational institution shall		
25	coordinate with the Rhode Island resource recovery corporation (RIRRC) for the purpose of		
26	conducting waste audits every three (3) years and which reports shall be collected and		
27	maintained.		
28	16-110-6. Rules and regulations.		
29	The commissioner is hereby authorized to promulgate whatever rules and regulations		
80	may be required to implement this chapter and shall annually provide notice to all school districts		
31	of the department's school waste disposal and refuse disposal policies.		
32	<u>16-110-7. Penalties.</u>		
33	Any person who violates the provisions of this chapter, or any rule or regulation, or order		
84	issued pursuant to this chapter, shall be subject to a civil penalty of not more than twenty-five		

1	thousand dollars (\$25,000). In the case of a continuing violation, each day's continuance of the
2	violation is deeded to be a separate and distinct offense.
3	SECTION 2. Section 23-18.9-17 of the General Laws in Chapter 23-18.9 entitled "Refuse
4	Disposal" is hereby amended to read as follows:
5	23-18.9-17. Food waste ban.
6	(a) On and after January 1, 2016, each covered entity and each covered educational
7	institution shall ensure that the organic-waste materials that are generated by the covered entity or
8	at the covered educational facility are recycled at an authorized, composting facility or anaerobic
9	digestion facility or by another authorized recycling method if:
10	(1) The covered entity or covered educational facility generates not less than one hundred
11	four (104) tons per year of organic-waste material; and
12	(2) The covered entity or covered educational facility is located not more than fifteen (15)
13	miles from an authorized composting facility or anaerobic digestion facility with available
14	capacity to accept such material.
15	(b) On and after January 1, 2018, each covered educational institution shall ensure that
16	the organic-waste materials that are generated at the covered educational facility are recycled at
17	an authorized, composting facility or anaerobic digestion facility or by another authorized
18	recycling method if:
19	(1) The covered educational facility generates not less than fifty-two (52) tons per year of
20	organic-waste material; and
21	(2) The covered entity or covered educational facility is located not more than fifteen (15)
22	miles from an authorized, composting facility or anaerobic digestion facility with available
23	capacity to accept such material.
24	(c) The director shall grant a waiver of the requirements of subsections (a) and (b) upon a
25	showing that the tipping fee charged by the Rhode Island resource recovery corporation for non-
26	contract commercial sector waste is less than the fee charged for organic-waste material by each
27	composting facility or anaerobic digestion facility located within fifteen (15) miles of the covered
28	entity's location.
29	(d) On and after January 1, 2019, each covered entity and each covered educational
30	institution shall ensure that the organic-waste materials that are generated by the covered entity or
31	at the covered educational facility are recycled at an authorized, composting facility or anaerobic
32	digestion facility or by another authorized recycling method.

1	SECTION 3. Th	nis act shall take effect upon passage
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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO EDUCATION -- SCHOOL WASTE RECYCLING AND REFUSE DISPOSAL

This act would require schools to comply with composting and recycling laws, would promote the donation of unspoiled nonperishable food by schools, and would promote the selection of local food service companies for school food service contracts and the selection of vendors who recycle organic-waste at appropriate facilities.

This act would take effect upon passage.

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