

1 thereunder to require that any request for proposal (RFP) to select a food 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
10 service product from a Rhode Island-based food service company. In addition, it shall also be the
11 policy of the state, the department of education, and any school district thereunder, to encourage
12 the use of vendors who recycle organic-waste materials at an authorized composting facility, an
13 anaerobic digestion facility, or by another authorized recycling method, regardless of whether the
14 entity purchasing the services is or is not a covered entity or a covered educational institution
15 pursuant to the provisions of § 23-18.9-17.

16 **16-110-4. Food donations.**

17 It shall be the policy of the state, the department of education and any school district
18 thereunder to require that any request for proposal (RFP) to select a food service company
19 (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
30 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 **16-110-7. Penalties.**

33 Any person who violates the provisions of this chapter, or any rule or regulation, or order
34 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 deemed 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. This act shall take effect upon passage.

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LC004942/SUB A/3
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO EDUCATION -- SCHOOL WASTE RECYCLING AND REFUSE DISPOSAL

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

5 This act would take effect upon passage.

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