It is enacted by the General Assembly as follows:

SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by adding thereto the following chapter:

CHAPTER 110

SCHOOL WASTE RECYCLING AND REFUSE DISPOSAL

16-110-1. Legislative findings.

The general assembly recognizes and declares that:

1. The people of the state desire to promote a clean and wholesome school environment for our students and school staff;
2. A significant percentage of school waste is recyclable;
3. Any environmentally and economically sound solid waste management system must incorporate recycling and all solid waste capable of being recycled should be recycled;
4. A sound recycling program for all covered educational entities will best be achieved by cooperation of the Rhode Island resource recovery corporation, the department of environmental management, the Rhode Island department of education, and the cities and towns of the state;
5. Upon implementation, the program shall reduce food waste and paper waste at meal times and throughout the school day and should be encouraged statewide.

16-110-2. Food service and refuse disposal.

It shall be the policy of the state, the department of education, and any school district
thereunder to require that any request for proposal (RFP) to select a food service company
(vendor) to provide food services to a single school district, regional school district or multiple
school districts shall include, as part of its proposal, assurances that the vendor is in compliance
with all laws relative to recycling and composting pursuant to chapter 18.9 of title 23.


It shall be the policy of the state, the department of education and any school district
thereunder to encourage that any request for proposal (RFP) to a food service company (vendor)
to provide food services to a single school district, regional school district or multiple school
districts to encourage the use of a vendor that purchases ten percent (10%) of the required food
service product from a Rhode Island-based food service company. In addition, it shall also be the
policy of the state, the department of education, and any school district thereunder, to encourage
the use of vendors who recycle organic-waste materials at an authorized composting facility, an
anaerobic digestion facility, or by another authorized recycling method, regardless of whether the
entity purchasing the services is or is not a covered entity or a covered educational institution
pursuant to the provisions of § 23-18.9-17.


It shall be the policy of the state, the department of education and any school district
thereunder to require that any request for proposal (RFP) to select a food service company
(vendor) to provide food services to a single school district, regional school district or multiple
school districts shall require the vendor to donate any nonperishable and/or unspoiled perishable
food to local food banks or the Rhode Island Food Bank in accordance with the department of
health regulations.

16-110-5. Waste audit required.

On or after January 1, 2019, and annually thereafter, every educational institution shall
coordinate with the Rhode Island resource recovery corporation (RIRRC) for the purpose of
conducting waste audits every three (3) years and which reports shall be collected and
maintained.


The commissioner is hereby authorized to promulgate whatever rules and regulations
may be required to implement this chapter and shall annually provide notice to all school districts
of the department’s school waste disposal and refuse disposal policies.


Any person who violates the provisions of this chapter, or any rule or regulation, or order
issued pursuant to this chapter, shall be subject to a civil penalty of not more than twenty-five
thousand dollars ($25,000). In the case of a continuing violation, each day's continuance of the
violation is deemed to be a separate and distinct offense.

SECTION 2. Section 23-18.9-17 of the General Laws in Chapter 23-18.9 entitled "Refuse
Disposal" is hereby amended to read as follows:

**23-18.9-17. Food waste ban.**

(a) On and after January 1, 2016, each covered entity and each covered educational
institution shall ensure that the organic-waste materials that are generated by the covered entity or
at the covered educational facility are recycled at an authorized, composting facility or anaerobic
digestion facility or by another authorized recycling method if:

(1) The covered entity or covered educational facility generates not less than one hundred
four (104) tons per year of organic-waste material; and

(2) The covered entity or covered educational facility is located not more than fifteen (15)
capacity to accept such material.

(b) On and after January 1, 2018, each covered educational institution shall ensure that
the organic-waste materials that are generated at the covered educational facility are recycled at
an authorized, composting facility or anaerobic digestion facility or by another authorized
recycling method if:

(1) The covered educational facility generates not less than fifty-two (52) tons per year of
organic-waste material; and

(2) The covered entity or covered educational facility is located not more than fifteen (15)
capacity to accept such material.

(c) The director shall grant a waiver of the requirements of subsections (a) and (b) upon a
showing that the tipping fee charged by the Rhode Island resource recovery corporation for non-
contract commercial sector waste is less than the fee charged for organic-waste material by each
composting facility or anaerobic digestion facility located within fifteen (15) miles of the covered
entity's location.

(d) On and after January 1, 2019, each covered entity and each covered educational
institution shall ensure that the organic-waste materials that are generated by the covered entity or
at the covered educational facility are recycled at an authorized, composting facility or anaerobic
digestion facility or by another authorized recycling method.
SECTION 3. This act shall take effect upon passage.
EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N   A C T
RELATING TO EDUCATION -- SCHOOL WASTE RECYCLING AND REFUSE DISPOSAL

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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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