

Chapter 205

(Senate Bill 124)

AN ACT concerning

Public Schools – Grant Program to Reduce and Compost School Waste

FOR the purpose of establishing the Grant Program to Reduce and Compost School Waste for county boards of education and public schools; requiring the Maryland Association for Environmental and Outdoor Education to review grant applications and select recipients to be awarded grants by the State Department of Education; and generally relating to the Grant Program to Reduce and Compost School Waste.

BY adding to

Article – Education

Section 7–129

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Education

7–129.

(A) IN THIS SECTION, “PROGRAM” MEANS THE GRANT PROGRAM TO REDUCE AND COMPOST SCHOOL WASTE.

(B) THERE IS A GRANT PROGRAM TO REDUCE AND COMPOST SCHOOL WASTE WITHIN THE DEPARTMENT.

(C) (1) THE PURPOSE OF THE PROGRAM IS TO AWARD GRANTS TO COUNTY BOARDS AND PUBLIC SCHOOLS TO DEVELOP AND IMPLEMENT PROGRAMS FOR REDUCING FOOD WASTE AND TO ESTABLISH COMPOSTING OF PRE- AND POST-CONSUMER WASTE.

(2) A COUNTY BOARD OR A PUBLIC SCHOOL MAY APPLY FOR A GRANT UNDER THIS SECTION.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

(2) (I) THE MARYLAND ASSOCIATION FOR ENVIRONMENTAL AND OUTDOOR EDUCATION SHALL REVIEW GRANT APPLICATIONS AND SELECT GRANT AWARDEES UNDER THE PROGRAM.

(II) THE DEPARTMENT SHALL AWARD GRANTS TO THE APPLICANTS SELECTED BY THE MARYLAND ASSOCIATION FOR ENVIRONMENTAL AND OUTDOOR EDUCATION.

(E) A PROJECT IS ELIGIBLE FOR A GRANT IF IT IS SUBMITTED BY A COUNTY BOARD OR PUBLIC SCHOOL AND WILL:

(1) EDUCATE STUDENTS, STAFF, AND PARENTS ON THE CONNECTION BETWEEN FOOD WASTE, CLIMATE, ENVIRONMENT, AND HUNGER;

(2) SUPPORT SCHOOL INFRASTRUCTURE TO MEASURE FOOD WASTE AND REDUCTION OF FOOD WASTE;

(3) TRAIN AND EDUCATE STUDENTS AND STAFF ON THE IMPLEMENTATION OF FOOD WASTE REDUCTION AND COMPOSTING; AND

(4) INCLUDE AT LEAST ONE OF THE FOLLOWING ACTIVITIES:

~~(4)~~ (I) ~~TRANSITION~~ PLANNING TO TRANSITION THE SCHOOL TO AN OFFER VERSUS SERVE MODEL IN CAFETERIAS, WHICH ALLOWS STUDENTS TO DECLINE FOODS OFFERED RATHER THAN SERVING FOOD A STUDENT WILL NOT EAT, IN COMPLIANCE WITH FEDERAL LAW, AND ~~TRAIN~~ TRAINS STUDENTS AND STAFF ON THE MODEL;

~~(5)~~ (II) ~~DEVELOP~~ DEVELOPING PROCESSES FOR SURPLUS FOOD TO BE SERVED DURING AFTER SCHOOL ACTIVITIES OR THE FOLLOWING DAY, OR TO BE TAKEN HOME TO STUDENT FAMILIES;

~~(6)~~ (III) ~~CONTRACT~~ CONTRACTING WITH A COMMERCIAL COMPOSTER OR MUNICIPAL OR COUNTY AGENCY TO RECYCLE IN-SCHOOL ORGANIC WASTE;

~~(7)~~ (IV) ~~ESTABLISH~~ ESTABLISHING ON-SITE COMPOSTING BINS;

~~(8)~~ (V) ~~REPLACE~~ REPLACING SINGLE-SERVE MILK CARTONS WITH BULK MILK DISPENSERS;

~~(9)~~ (VI) ESTABLISH ~~ESTABLISHING~~ SHARE TABLES BASED ON GUIDANCE FROM THE U.S. DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE DOCUMENT NUMBER SP41 CACFP13 SFSP15-2016;

~~(10)~~ (VII) PACKAGE AND DISTRIBUTE ~~PACKAGING AND DISTRIBUTING~~ SURPLUS FOOD TO LOCAL FOOD RESCUE ORGANIZATIONS TO SUPPORT LOCAL COMMUNITIES; OR

~~(11)~~ (VIII) ESTABLISH ~~ESTABLISHING~~ ANY OTHER PROGRAM OR ACTIVITY THAT PREVENTS AND REDUCES FOOD WASTE IN A PUBLIC SCHOOL.

(F) TO CARRY OUT THE PURPOSE OF THE PROGRAM, GRANT AWARDS SHALL BE PRIORITIZED TO THE FOLLOWING PROGRAMS OR SCHOOLS:

(1) PROGRAMS THAT WILL BE LED BY STUDENTS;

(2) SCHOOLS WITH HIGH NUMBERS OF STUDENTS WHO RECEIVE FREE AND REDUCED PRICE MEALS;

(3) PROGRAMS THAT WILL ~~INVOLVE~~ CONTRACT WITH A SMALL AND MINORITY- OR VETERAN-OWNED BUSINESS; AND

(4) PROGRAMS THAT ~~CREATE EMPLOYMENT OPPORTUNITIES AND INCLUDE LEADERSHIP DEVELOPMENT PRACTICES THAT:~~

~~(I) PROVIDE EQUAL ACCESS TO OPPORTUNITIES; AND~~

~~(H) PAY~~ WILL CONTRACT WITH BUSINESSES THAT PAY EMPLOYEES A LIVING WAGE, AS DEFINED IN § 18-101 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(G) A COUNTY BOARD OR PUBLIC SCHOOL THAT RECEIVES A GRANT THROUGH THE PROGRAM ANNUALLY SHALL REPORT TO THE DEPARTMENT ON PROGRAM OUTCOMES, INCLUDING:

(1) THE AMOUNT OF FOOD WASTE PREVENTED, DIVERTED, AND COMPOSTED; AND

(2) IMPROVEMENT IN EDUCATION OF STUDENTS AND STAFF ON ENVIRONMENTAL BEST PRACTICES RELATED TO FOOD WASTE MANAGEMENT.

(H) ~~(1) (I) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$500,000 \$250,000 FOR THE PROGRAM.~~

~~(H) THE DEPARTMENT AND MARYLAND ASSOCIATION FOR ENVIRONMENTAL AND OUTDOOR EDUCATION MAY RETAIN A PORTION OF THE FUNDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH FOR ADMINISTRATIVE COSTS OF THE PROGRAM.~~

~~(2) THE DEPARTMENT SHALL COORDINATE WITH THE DEPARTMENT OF THE ENVIRONMENT TO IDENTIFY AND APPLY FOR FEDERAL FUNDING THAT MAY BE USED TO SUPPORT THE PROGRAM.~~

(I) ON OR BEFORE DECEMBER 1, 2023, AND EACH DECEMBER 1 THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE PROGRAM.

(J) THE DEPARTMENT MAY ADOPT REGULATIONS NECESSARY TO IMPLEMENT THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022. It shall remain effective for a period of 5 years and, at the end of June 30, 2027, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, April 21, 2022.