

# SENATE BILL 124

F1, M3

(PRE-FILED)

2lr1127  
CF HB 150

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By: **Senator Hettleman**

Requested: November 1, 2021

Introduced and read first time: January 12, 2022

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 2, 2022

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Schools – Grant Program to Reduce and Compost School Waste**

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

8 BY adding to

9 Article – Education

10 Section 7–129

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2021 Supplement)

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

15 **Article – Education**

16 **7–129.**

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20           (1) PROGRAMS THAT WILL BE LED BY STUDENTS;

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

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

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

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

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

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

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

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

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

10 (II) THE DEPARTMENT AND MARYLAND ASSOCIATION FOR  
11 ENVIRONMENTAL AND OUTDOOR EDUCATION MAY RETAIN A PORTION OF THE  
12 FUNDS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH FOR ADMINISTRATIVE  
13 COSTS OF THE PROGRAM.

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

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

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

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
24 1, 2022. It shall remain effective for a period of 5 years and, at the end of June 30, 2027,  
25 this Act, with no further action required by the General Assembly, shall be abrogated and  
26 of no further force and effect.