

AMENDED IN SENATE MARCH 24, 2008

**SENATE BILL**

**No. 1321**

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**Introduced by Senator Correa**

February 20, 2008

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An act to add Article 3 (commencing with Section 38150) to Chapter 4 of Part 23 of Division 3 of Title 2 of the Education Code, relating to school recycling programs.

LEGISLATIVE COUNSEL'S DIGEST

SB 1321, as amended, Correa. School recycling programs.

(1) Existing law establishes the public school system in this state and, among other things, provides for the establishment of school districts throughout the state and for their provision of instruction at the public elementary and secondary schools they operate and maintain. Existing law authorizes school districts to establish and maintain a paper recycling program in all classrooms, administrative offices, and other areas owned or leased by the school district where a significant quantity of wastepaper is generated or may be collected. Existing law requires the California Integrated Waste Management Board to develop and implement a source reduction and recycling program for schools in which schools are encouraged, but not required, to participate.

This bill would express findings and declarations of the Legislature with respect to the potential benefits of school recycling programs. The bill would require each school district that maintains a secondary school to *acquire and maintain a sufficient number of* beverage container recycling bins on each secondary school campus and public office of that school district. Under the bill, a school district would be authorized to choose whether to operate its own beverage container recycling program, to contact the California *their Local Community Conservation*

Corps or another recycler to collect the school district's recyclables and negotiate a rebate program or an incentive program as a fundraising activity for the school district, or to continue a recycling program in existence on January 1, 2009. Because the bill would impose new duties on school districts, it would constitute a state-mandated local program.

The bill would ~~require~~ *authorize* the Department of Conservation to provide, *to the extent feasible*, specified recycling supplies *and materials* to a school district to which the bill is applicable upon request of that district. *The bill would authorize school districts to enter into an agreement or partnership with a private sector or nonprofit entity to obtain all or part of the supplies and information necessary for participation in the program established by the bill.*

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature finds and declares all of the  
2 following:

3 (1) Recycling saves energy, resources, and landfill space,  
4 prevents emissions of many greenhouse gases and water pollutants,  
5 creates jobs and helps the economy, reduces the need for  
6 incinerators, and stimulates the development of greener  
7 technologies.

8 (2) Only about one-fourth of the paper, aluminum, iron, and  
9 steel used in the world is recovered for recycling.

10 (3) Although the waste generated from school districts is only  
11 about 2 percent of the statewide waste stream, within an individual  
12 jurisdiction school district waste can represent as much as 10 to  
13 15 percent of the total waste disposed in a jurisdiction.

14 (4) Every year, commercial and industrial enterprises in  
15 California spend more than \$2.8 billion on the collection and  
16 disposal of solid waste.

1 (5) California currently generates approximately 68 million tons  
2 of solid waste per year, about two tons annually per each man,  
3 woman, and child in the state.

4 (6) Recycling and other waste diversion efforts keep an  
5 estimated 28.5 million tons of solid waste out of the state's  
6 landfills. Since 1990, cities and counties have diverted over 200  
7 million tons of solid waste—enough to fill a line of garbage trucks  
8 end-to-end that would circle the Earth's equator more than six  
9 times.

10 (7) According to the Department of Conservation, only 13.2  
11 billion of the 22 billion beverage containers bought last year in  
12 California were recycled.

13 (8) The annual impact of recycling these billions of beverage  
14 containers saves approximately 5.3 million barrels of oil and  
15 reduces greenhouse gas emissions by approximately 617,000 metric  
16 tons.

17 (9) Ongoing costs of collection and sorting efforts are typically  
18 minimal compared to the savings from diversion and income  
19 realized from the recycled materials.

20 (10) California school districts dispose of large amounts of  
21 waste (approximately 763,817 tons per year).

22 (11) Incorporating waste reduction as part of the school district's  
23 overall way of doing business can provide a number of important  
24 benefits:

25 (A) Reduced disposal costs.

26 (B) Improved worker safety.

27 (C) Reduced long-term liability.

28 (D) Increased efficiency of school operations.

29 (E) Decreased associated purchasing costs.

30 (12) The California Integrated Waste Management Act of 1989  
31 requires that all California cities and counties divert 50 percent of  
32 solid waste generation. School districts can play a critical role in  
33 a city or county's ability to realize this goal.

34 (13) School facilities that have implemented recycling programs  
35 have been able to achieve diversion rates as high as 80 percent.

36 (14) For example, the Desert Sands Unified School District was  
37 able to save enough in avoided disposal costs to more than pay for  
38 the program's full-time staff member. The district saved an  
39 additional \$57,000, which it transferred to the schools'  
40 discretionary budgets based upon participation. Each school

1 received amounts ranging from \$1,000 to \$3,000, with a high of  
 2 \$7,000.

3 (15) When pupils, faculty, administrators, and district office  
 4 staff use recycling bins for bottles and cans, they will accomplish  
 5 all of the following:

6 (A) Reduce the district’s waste collection and disposal  
 7 expenditures.

8 (B) Help to raise money for our schools.

9 (C) In some cases, they will help to increase the ability of their  
 10 ~~local California Conservation Corps group~~ *Local Community*  
 11 *Conservation Corps* to expand and help more at-risk youth.

12 (D) Send an important message to California’s young people,  
 13 encouraging them to be aware of the environmental implications  
 14 of their actions, including the positive impact recycling has on  
 15 reducing global warming.

16 (b) Therefore, it is the intent of the Legislature to enact  
 17 legislation to require each public secondary school and school  
 18 district office in the state to have a sufficient number of beverage  
 19 container recycling bins and to participate in a local recycling  
 20 program or administer its own recycling program.

21 SEC. 2. Article 3 (commencing with Section 38150) is added  
 22 to Chapter 4 of Part 23 of Division 3 of Title 2 of the Education  
 23 Code, to read:

24  
 25 Article 3. School Beverage Container Recycling Program

26  
 27 38150. (a) A school district that maintains a secondary school  
 28 shall ~~maintain~~ *acquire and maintain a sufficient number of*  
 29 beverage container recycling bins on each secondary school campus  
 30 and public office of that school district.

31 (b) A school district to which this article is applicable shall have  
 32 the choice of any of the following:

33 (1) Operating its own beverage container recycling program by  
 34 redeeming the bottles and cans that are collected on its campuses.

35 (2) Contacting ~~the California~~ *their Local Community*  
 36 *Conservation Corps* or another recycler to collect the school  
 37 district’s recyclables and negotiate a rebate program or an incentive  
 38 program as a fundraising activity for the school district.

39 (3) Continuing a recycling program in existence on January 1,  
 40 2009.

1 38151. (a) Upon the request of a school district to which this  
2 article is applicable, the Department of Conservation ~~shall provide~~  
3 *may provide, to the extent feasible*, that school district with supplies  
4 including, but not necessarily limited to, all of the following:

5 (a)

6 (1) A sufficient number of recycle bins to meet the estimated  
7 need of the campus or office to be served.

8 (b)

9 (2) Literature on how to start and run a school-based recycling  
10 program in order to make money for school programs.

11 (c)

12 (3) Contact information for the California Integrated Waste  
13 Management Board and the Department of Conservation.

14 (d)

15 (4) Contact information for the nearest location of the ~~California~~  
16 *Local Community* Conservation Corps and for local independent  
17 recyclers.

18 (b) *A school district may enter into an agreement or partnership*  
19 *with a private sector or nonprofit entity to obtain all or part of the*  
20 *supplies and information necessary for participation in the*  
21 *program established by this article.*

22 SEC. 3. If the Commission on State Mandates determines that  
23 this act contains costs mandated by the state, reimbursement to  
24 local agencies and school districts for those costs shall be made  
25 pursuant to Part 7 (commencing with Section 17500) of Division  
26 4 of Title 2 of the Government Code.