

AMENDED IN ASSEMBLY JULY 2, 2008
AMENDED IN ASSEMBLY JUNE 10, 2008
AMENDED IN SENATE APRIL 23, 2008
AMENDED IN SENATE APRIL 8, 2008
AMENDED IN SENATE MARCH 24, 2008

SENATE BILL

No. 1321

**Introduced by Senator Correa
(Coauthors: Senators Padilla, Romero, and Torlakson)**

February 20, 2008

An act to add *and repeal* Chapter 12.4 (commencing with Section 42615) ~~to~~ of Part 3 of Division 30 of the Public Resources 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, *until January 1, 2012*, require each school district to consult with the local Community Conservation Corps to ~~provide and maintain a sufficient number of beverage container recycling bins~~ *obtain information in order to establish a beverage container recycling program* at each school campus and public office of that school district, but only to the extent that the district does not incur costs. Under the bill, a school district would be authorized to choose whether to operate its own beverage container recycling program, to contact its local Community Conservation Corps or another recycler to collect the beverage containers, to provide a beverage container collection 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 the California Integrated Waste Management Board and the Department of Conservation to provide 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 *public agency or private sector or nonprofit entity* to obtain all or part of the supplies and information necessary for participation in the beverage container recycling program and to use the proceeds from the program for specified purposes.

(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:

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

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

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

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

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

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

24 (7) According to the Department of Conservation, only ~~13.2~~
25 *14.7* billion of the 22 billion beverage containers bought last year
26 in California were recycled.

27 (8) The annual impact of recycling these billions of beverage
28 containers saves approximately 5.3 million barrels of oil and
29 reduces greenhouse gas emissions by approximately 617,000 metric
30 tons.

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

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

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

39 (A) Reduced disposal costs.

40 (B) Improved worker safety.

- 1 (C) Reduced long-term liability.
- 2 (D) Increased efficiency of school operations.
- 3 (E) Decreased associated purchasing costs.
- 4 (12) The California Integrated Waste Management Act of 1989
- 5 requires that all California cities and counties divert 50 percent of
- 6 solid waste generation. School districts can play a critical role in
- 7 a city or county’s ability to realize this goal.
- 8 (13) School facilities that have implemented recycling programs
- 9 have been able to achieve diversion rates as high as 80 percent.
- 10 (14) For example, the Desert Sands Unified School District was
- 11 able to save enough in avoided disposal costs to more than pay for
- 12 the program’s full-time staff member. The district saved an
- 13 additional \$57,000, which it transferred to the schools’
- 14 discretionary budgets based upon participation. Each school
- 15 received amounts ranging from \$1,000 to \$3,000, with a high of
- 16 \$7,000.
- 17 (15) When pupils, faculty, administrators, and district office
- 18 staff use recycling bins for bottles and cans, they will accomplish
- 19 all of the following:
- 20 (A) Reduce the district’s waste collection and disposal
- 21 expenditures.
- 22 (B) Help to raise money for our schools.
- 23 (C) In some cases, they will help to increase the ability of their
- 24 local Community Conservation Corps to expand and help more
- 25 at-risk youth.
- 26 (D) Send an important message to California’s young people,
- 27 encouraging them to be aware of the environmental implications
- 28 of their actions, including the positive impact recycling has on
- 29 reducing global warming.
- 30 (b) Therefore, it is the intent of the Legislature to enact
- 31 legislation to require each public-~~secondary~~ school and school
- 32 district office in the state to consult with the local Community
- 33 Conservation Corps or another recycler to provide and maintain
- 34 a sufficient number of beverage container recycling bins for
- 35 participation in a local recycling program or to administer its own
- 36 recycling program.
- 37 SEC. 2. Chapter 12.4 (commencing with Section 42615) is
- 38 added to Part 3 of Division 30 of the Public Resources Code, to
- 39 read:

1 CHAPTER 12.4. SCHOOL BEVERAGE CONTAINER RECYCLING
2 PROGRAM

3
4 42615. For purposes of this chapter, the following definitions
5 apply:

6 (a) “Beverage container” has the same meaning as defined in
7 Section 14505.

8 (b) “Recycler” has the same meaning as defined in Section
9 14519.5.

10 (c) “Recycling center” has the same meaning as defined in
11 Section 14520.

12 (d) “School district” has the same meaning as defined in Section
13 80 of the Education Code.

14 42616. (a) A school district, only to the extent that it does not
15 incur costs, shall consult with the local Community Conservation
16 Corps or another recycler to ~~provide and maintain a sufficient~~
17 ~~number of beverage container recycling bins at each~~ *obtain*
18 *information in order to establish a beverage container recycling*
19 *program at each* school campus and public office of that school
20 district.

21 (b) Beverage container recycling program services may be
22 provided in a manner determined by the district, consistent with
23 this division and Division 12.1 (commencing with Section 14500),
24 including, *but not limited to*, any of the following:

25 (1) Operating a beverage container recycling program by
26 redeeming containers that are collected on its campuses.

27 (2) Providing for a local Community Conservation Corps or
28 recycler to collect the beverage containers.

29 (3) Providing a beverage container collection program as a
30 fundraising activity for the school district.

31 (4) Continuing a recycling program that is in existence on
32 January 1, 2009.

33 42617. (a) Upon the request of a school district, the board and
34 the Department of Conservation shall provide a school district
35 with information and supplies, including, but not necessarily
36 limited to, any of the following:

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

39 ~~(2)~~

1 (1) Literature on how to start and run a school-based recycling
2 program in order to assist in funding school programs.

3 ~~(3)~~

4 (2) Contact information for the board and the Department of
5 Conservation.

6 ~~(4)~~

7 (3) Contact information for the nearest location of the local
8 Community Conservation Corps and for recycling centers.

9 (b) *Upon the request of a school district and subject to the*
10 *availability of funds, the board and the Department of Conservation*
11 *may provide a school district with a sufficient number of beverage*
12 *container recycling bins to meet the estimated need of the campus*
13 *or office to be served.*

14 ~~(b)~~

15 (c) A school district may enter into an agreement or partnership
16 with a *public agency or private sector or nonprofit entity* to obtain
17 all or part of the supplies and information necessary for
18 participation in the program established by this article.

19 ~~(e)~~

20 (d) The proceeds from beverage container recycling may be
21 used, *at the discretion of the school district governing board*, for
22 all of the following:

23 (1) Reimbursement for the initial cost of acquiring beverage
24 container recycling bins.

25 (2) For transfers to a participating school’s or district’s
26 discretionary fund.

27 (3) For other costs, including the cost of personnel associated
28 with the maintenance of the beverage container recycling bins.

29 *42620. This chapter shall remain in effect only until January*
30 *1, 2012, and as of that date is repealed, unless a later enacted*
31 *statute, that is enacted before January 1, 2012, deletes or extends*
32 *that date.*

33 SEC. 3. If the Commission on State Mandates determines that
34 this act contains costs mandated by the state, reimbursement to
35 local agencies and school districts for those costs shall be made
36 pursuant to Part 7 (commencing with Section 17500) of Division
37 4 of Title 2 of the Government Code.

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