

AMENDED IN ASSEMBLY MAY 5, 2009

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 747

Introduced by Assembly Member Emmerson
(Coauthors: Assembly Members Bill Berryhill, Saldana, and Smyth)

February 26, 2009

An act to amend ~~Section~~ *Sections 32370, 32371, and 32372* of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 747, as amended, Emmerson. School facilities: recycling programs.

Under existing law, each school district and campus of the California State University ~~and Colleges~~ is *authorized and is* encouraged to establish and maintain a paper recycling program in specified areas owned or leased by the school district or campus where a significant quantity of wastepaper is generated or may be collected.

This bill would *authorize and* encourage school districts and campuses of the *University of California*, California State University, and *California Community Colleges* also to establish and maintain *a paper recycling program and a beverage container recycling programs* program in those areas.

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

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

1 SECTION 1. Section 32370 of the Education Code is amended
2 to read:

3 32370. The Legislature finds and declares that is the policy of
4 the state to conserve and protect its resources. The maintenance
5 of a quality environment for the people of this state now and in
6 the future is a matter of statewide concern.

7 The Legislature further finds and declares that the volume of
8 solid waste generated within the state coupled with an increased
9 rate in the consumption of paper products *and beverage containers*,
10 and the absence of adequate programs and procedures for the reuse
11 of these materials threaten the quality of the environment and
12 well-being of the people of California.

13 In making these findings the Legislature declares that the policy
14 and intent of this article is to increase the public's awareness of
15 the value of recycling and the need to recycle, and to improve
16 environmental quality by the recycling of paper products *and*
17 *beverage containers*.

18 SEC. 2. Section 32371 of the Education Code is amended to
19 read:

20 32371. The following definitions govern the interpretation of
21 this article:

22 (a) "Educational agency" means any school district, county
23 office of education, or campus of the *University of California*,
24 California State University, and *the California Community*
25 *Colleges*.

26 (b) "Paper recycling program" means, (1) the provision of
27 specially marked containers which are intended to receive either
28 all grades or only some grades of postconsumer wastepaper but
29 which are not intended to receive other forms of postconsumer
30 waste, (2) publicity directed at all persons who frequent buildings
31 with the containers encouraging those persons to deposit
32 wastepaper in the containers, and (3) the collection of all paper
33 deposited in the containers for the purpose of recycling.

34 (c) "Postconsumer waste" means a finished material which
35 would normally be disposed of as solid waste, having completed
36 its life cycle as a consumer item.

37 (d) "Recycled paper" means all paper and woodpulp products
38 with not less than 50 percent of its total weight consisting of

1 secondary and postconsumer waste and with not less than 10
2 percent of its total weight consisting of postconsumer waste.

3 (e) "Secondary waste" means fragments of products or finished
4 products of a manufacturing process which has converted a virgin
5 resource into a commodity of real economic value, and includes
6 postconsumer waste, but does not include mill broke, wood slabs,
7 chips, sawdust, or other wood residue from a manufacturing
8 process.

9 (f) "*Beverage container*" means the individual, separate bottle,
10 can, jar, carton, or other receptacle, however denominated, in
11 which a beverage is sold, and that is constructed of metal, glass,
12 plastic, or other material, or any combination of these materials.
13 "*Beverage container*" does not include cups or similar open or
14 loosely sealed receptacles.

15 (g) "*Beverage container recycling program*" means any person,
16 association, nonprofit corporation, church, club, or other
17 organization certified by the Department of Conservation that
18 accepts or collects empty beverage containers from consumers
19 with the intent to recycle them, or any waste reduction facility that
20 separates beverage containers from the waste stream with the
21 intent to recycle them.

22 **SECTION 1.**

23 **SEC. 3.** Section 32372 of the Education Code is amended to
24 read:

25 32372. (a) Each school district may, and is encouraged to,
26 establish and maintain a paper and beverage container recycling
27 program in all classrooms, administrative offices, and other areas
28 owned or leased by the school district where a significant quantity
29 of wastepaper or beverage containers is generated or may be
30 collected.

31 (b) Each campus of the ~~California State University and~~
32 *University of California, California State University, and the*
33 *California Community Colleges* may, and is encouraged to,
34 establish and maintain a paper and beverage container recycling
35 program in administration offices and other areas owned or leased
36 by the campus, including areas frequented by students, where a
37 significant quantity of wastepaper or beverage containers is
38 generated or may be collected.

39 (c) In establishing paper and beverage container recycling
40 programs, school districts, and campuses of the *University of*

1 *California*, California State University~~and~~, *and the California*
2 *Community Colleges* shall attempt to cooperate with existing paper
3 and beverage container recycling programs.

4 (d) Nothing in this article shall limit or supersede any other
5 requirement of law imposing a paper and beverage container
6 recycling program on school districts or the *University of*
7 *California*, California State University~~and~~, *and the California*
8 *Community Colleges*.