

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 53rd Legislature (2012)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1162

By: Bingman of the Senate

and

McNiel and Dorman of the
House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to recyclable materials; creating the
12 Oklahoma Recyclable Container Initiative within the
13 Department of Environmental Quality; stating
14 legislative findings; requiring appointments within
15 certain time period; stating mission; stating
16 membership; prohibiting compensation for members;
17 authorizing working group to make reports; providing
18 termination date; providing for noncodification; and
19 declaring an emergency.

20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. NEW LAW A new section of law not to be
22 codified in the Oklahoma Statutes reads as follows:

23 A. There is hereby created within the Department of
24 Environmental Quality, the Oklahoma Recyclable Container Initiative
(ORCI), a working group appointed pursuant to this section, for the

1 purpose of encouraging and promoting the creation of partnerships
2 between various stakeholders committed to improving the recovery and
3 resale of high quality, valuable container feedstock materials and
4 keeping those same materials from entering the solid waste stream.

5 B. The Legislature finds it is in the public interest to create
6 the Oklahoma Recyclable Container Initiative (ORCI) because:

7 1. There exists a robust interstate and intrastate market for
8 recyclable containers which are produced and used by many Oklahoma
9 industries and current demand far exceeds the available supply;

10 2. The economic challenges facing our state's municipalities,
11 counties and other entities responsible for the collection and
12 disposal of solid waste are severe and ongoing and the ORCI will
13 provide an opportunity to evaluate current solid waste collection
14 and disposal methods and possibly reduce costs for those entities;

15 3. Increasing the use of recyclable containers may increase the
16 competitiveness of existing state industries in relation to their
17 foreign and domestic competitors, thereby preserving existing jobs
18 and potentially adding new jobs; and

19 4. Roadside and waterway litter will be reduced and the ORCI
20 will be available to support the efforts of a variety of interest
21 groups working to improve collection and recovery rates for all
22 types of recyclable materials.

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1 C. A working group shall be appointed within sixty (60) days
2 following the effective date of this act. The primary mission of
3 the ORCI shall be to identify or create methods to help Oklahoma
4 industries achieve a goal of capturing and reusing fifty percent
5 (50%) of recyclable containers. The ORCI shall study methods to
6 incentivize public and private sector recycling and industrial reuse
7 efforts designed to reduce waste disposal, find ways to increase the
8 availability of product resources for Oklahoma manufacturers and to
9 create job opportunities for Oklahoma citizens. Container deposits,
10 extended producer responsibility and product stewardship models
11 shall not be discussed by the working group. Therefore, the working
12 group will study and provide suggestions for more efficient and
13 effective collection, processing, and managing of recyclable,
14 reusable, and compostable materials that are currently disposed of
15 as solid waste, in a manner that promotes economic development,
16 protects public health and safety, and allows the most practical and
17 beneficial use of those materials with particular attention to
18 glass, metal and plastic. The working group's review shall include,
19 but not be limited to, the following topics: county recycling and
20 waste management planning; recordkeeping used to track recycling,
21 reuse, and composting rates; current and future landfill space
22 needs; source reduction, recycling, composting, and reuse programs;
23 solid waste management and disposal; community curbside recycling

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1 programs; and voluntary bar and restaurant recycling programs. The
2 working group shall be composed of nine (9) members as follows:

- 3 1. Three members to be appointed by the Governor as follows:
- 4 a. a restaurant or bar owner who is currently recycling,
 - 5 b. a representative from a city or town with curbside
 - 6 recycling, and
 - 7 c. a representative of a solid waste management
 - 8 organization;

9 2. Three members to be appointed by the President Pro Tempore
10 of the Senate as follows:

- 11 a. two members of the glass industry that manufacture
- 12 glass in the state, and
- 13 b. a beverage manufacturer or distributor who is involved
- 14 in recycling programs; and

15 3. Three members to be appointed by the Speaker of the House of
16 Representatives as follows:

- 17 a. a representative who is a malt beverage distributor,
- 18 b. a representative who is a malt beverage manufacturer,
- 19 and
- 20 c. a representative who is a grocer.

21 The Executive Director of the Department of Environmental
22 Quality or a designee shall serve as chair of the ORCI and shall
23 determine an appropriate meeting schedule.

1 D. Members appointed to the ORCI pursuant to this section shall
2 serve without compensation.

3 E. The working group may report any findings or recommendations
4 it deems necessary and appropriate to the Governor, the President
5 Pro Tempore of the Senate and the Speaker of the House of
6 Representatives.

7 F. The activities of the working group shall terminate no later
8 than two (2) years following the effective date of this act.

9 SECTION 2. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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14 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/28/2012 - DO PASS,
15 As Amended and Coauthored.

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