

1 **SENATE FLOOR VERSION**

2 February 27, 2012

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1162

By: Bingman of the Senate

and

McNiel of the House

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9 [recyclable materials - creating the Oklahoma
10 Recyclable Container Initiative -
emergency]

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

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

16 A. There is hereby created within the Department of
17 Environmental Quality, the Oklahoma Recyclable Container Initiative
18 (ORCI), a working group appointed pursuant to this section, for the
19 purpose of encouraging and promoting the creation of partnerships
20 between various stakeholders committed to improving the recovery and
21 resale of high quality, valuable container feedstock materials and
22 keeping those same materials from entering the solid waste stream.

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

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

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

9 3. Increasing the use of recyclable containers may increase the
10 competitiveness of existing state industries in relation to their
11 foreign and domestic competitors, thereby preserving existing jobs
12 and potentially adding new jobs; and

13 4. Roadside and waterway litter will be reduced and the ORCI
14 will be available to support the efforts of a variety of interest
15 groups working to improve collection and recovery rates for all
16 types of recyclable materials.

17 C. A working group shall be appointed within sixty (60) days
18 following the effective date of this act. The primary mission of
19 the ORCI shall be to identify or create methods to help Oklahoma
20 industries achieve a goal of capturing and reusing fifty percent
21 (50%) of recyclable containers. The ORCI shall study methods to
22 incentivize public and private sector recycling and industrial reuse
23 efforts designed to reduce waste disposal, find ways to increase the
24 availability of product resources for Oklahoma manufacturers and to

1 create job opportunities for Oklahoma citizens. Container deposit
2 legislation has been studied by the State of Oklahoma through state
3 agencies and interim studies and there is a record of such efforts.
4 Therefore, the working group will study additional approaches such
5 as extended producer responsibility and product stewardship models
6 to potentially achieve a goal of capturing and reusing fifty percent
7 (50%) of recyclable containers. The working group shall be composed
8 of nine (9) members as follows:

- 9 1. A representative of the Oklahoma Tax Commission;
- 10 2. A representative of the Department of Environmental Quality;
- 11 3. A representative of the Department of Commerce;
- 12 4. Two members to be appointed by the President Pro Tempore of
13 the Senate;
- 14 5. Two members to be appointed by the Speaker of the House of
15 Representatives; and
- 16 6. Two members to be appointed by the Governor.

17 The Executive Director of the Department of Environmental
18 Quality or a designee shall serve as chair of the ORCI and shall
19 determine an appropriate meeting schedule.

20 D. Members appointed to the ORCI pursuant to this section shall
21 serve without compensation.

22 E. The working group may report any findings or recommendations
23 it deems necessary and appropriate to the Governor, the President
24

1 Pro Tempore of the Senate and the Speaker of the House of
2 Representatives.

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

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

9 COMMITTEE REPORT BY: COMMITTEE ON ENERGY, dated 2-23-12 - DO PASS,
10 As Amended and Coauthored.

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