

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 1014
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Short Title: Strengthen Littering Laws.

(Public)

Sponsors:

Referred to:

April 5, 2001

1 A BILL TO BE ENTITLED

2 AN ACT TO STRENGTHEN THE LITTERING LAWS.

3 The General Assembly of North Carolina enacts:

4 SECTION 1. G.S. 14-399 reads as rewritten:

5 "§ 14-399. Littering.

6 (a) No person, including ~~but not limited to,~~ any firm, organization, private
7 corporation, or governing body, agents or employees of any municipal corporation shall
8 intentionally or recklessly throw, scatter, spill or place or intentionally or recklessly
9 cause to be blown, scattered, spilled, thrown or placed or otherwise dispose of any litter
10 upon any public property or private property not owned by ~~him~~ the person within this
11 State or in the waters of this State ~~including, but not limited to,~~ including any public
12 highway, public park, lake, river, ocean, beach, campground, ~~forest land,~~ forestland,
13 recreational area, trailer park, highway, road, street or alley except:

- 14 (1) When ~~such~~ the property is designated by the State or political
15 subdivision thereof for the disposal of garbage and refuse, and ~~such~~ the
16 person is authorized to use ~~such~~ the property for ~~such~~ this purpose; or
17 (2) Into a litter receptacle in ~~such~~ a manner that the litter will be prevented
18 from being carried away or deposited by the elements upon any part of
19 ~~such~~ the private or public property or waters.

20 (a1) No person, including any firm, organization, private corporation, or
21 governing body, agents, or employees of any municipal corporation shall scatter, spill,
22 or place or cause to be blown, scattered, spilled, or placed or otherwise dispose of any
23 litter upon any public property or private property not owned by the person within this

1 State or in the waters of this State including any public highway, public park, lake,
2 river, ocean, beach, campground, forestland, recreational area, trailer park, highway,
3 road, street, or alley except:

4 (1) When the property is designated by the State or political subdivision
5 thereof for the disposal of garbage and refuse, and the person is
6 authorized to use the property for this purpose; or

7 (2) Into a litter receptacle in a manner that the litter will be prevented from
8 being carried away or deposited by the elements upon any part of the
9 private or public property or waters.

10 (a2) Subsection (a1) of this section does not apply to the accidental blowing,
11 scattering, or spilling of an insignificant amount of municipal solid waste, as defined in
12 G.S. 130A-290(18a), during the automated loading of a vehicle designed and
13 constructed to transport municipal solid waste if the vehicle is operated in a reasonable
14 manner and according to manufacturer specifications.

15 (b) When litter is blown, scattered, spilled, thrown or placed from a vehicle or
16 watercraft, the operator thereof shall be presumed to have committed ~~such the~~ offense.
17 This presumption, however, does not apply to a vehicle transporting ~~agricultural~~
18 ~~products or supplies when the litter from that vehicle is a nontoxic, biodegradable~~
19 ~~agricultural product or supply.~~ nontoxic and biodegradable agricultural or garden
20 products or supplies, including mulch, tree bark, wood chips, and raw logs.

21 (c) Any person who violates subsection (a) of this section in an amount not
22 exceeding 15 pounds and not for commercial purposes is guilty of a Class 3
23 misdemeanor punishable by a fine of not less than two hundred fifty dollars (\$250.00)
24 nor more than one thousand dollars (\$1,000) for the first offense. In addition, the court
25 may require the violator to perform community service of not less than eight hours nor
26 more than 24 hours. The community service required shall be to pick up litter if
27 feasible, and if not feasible, to perform other labor commensurate with the offense
28 committed. Any second or subsequent offense-violation of subsection (a) of this section
29 in an amount not exceeding 15 pounds and not for commercial purposes within three
30 years after the date of a prior offense-violation is a Class 3 misdemeanor punishable by
31 a fine of not less than five hundred dollars (\$500.00) nor more than two thousand
32 dollars (\$2,000). In addition, the court may require the violator to perform community
33 service of not less than 16 hours nor more than 50 hours. The community service
34 required shall be to pick up litter if feasible, and if not feasible, to perform other labor
35 commensurate with the offense committed.

36 (c1) Any person who violates subsection (a1) of this section in an amount not
37 exceeding 15 pounds is guilty of an infraction punishable by a fine of not more than one
38 hundred dollars (\$100.00). In addition, the court may require the violator to perform
39 community service of not less than four hours nor more than 12 hours. The community
40 service required shall be to pick up litter if feasible, and if not feasible, to perform other
41 labor commensurate with the offense committed. Any second or subsequent violation of
42 subsection (a1) of this section in an amount not exceeding 15 pounds within three years

1 after the date of a prior violation is an infraction punishable by a fine of not more than
2 two hundred dollars (\$200.00). In addition, the court may require the violator to perform
3 community service of not less than eight hours nor more than 24 hours. The community
4 service required shall be to pick up litter if feasible, and if not feasible, to perform other
5 labor commensurate with the offense committed. For purposes of this subsection, the
6 term "litter" shall not include nontoxic and biodegradable agricultural or garden
7 products or supplies, including mulch, tree bark, and wood chips.

8 (d) Any person who violates subsection (a) of this section in an amount
9 exceeding 15 pounds but not exceeding 500 pounds and not for commercial purposes is
10 guilty of a Class 3 misdemeanor punishable by a fine of not less than five hundred
11 dollars (\$500.00) nor more than two thousand dollars (\$2,000). In addition, the court
12 shall require the violator to perform community service of not less than 24 hours nor
13 more than 100 hours. The community service required shall be to pick up litter if
14 feasible, and if not feasible, to perform other community service commensurate with the
15 offense committed.

16 (d1) Any person who violates subsection (a1) of this section in an amount
17 exceeding 15 pounds but not exceeding 500 pounds is guilty of an infraction punishable
18 by a fine of not more than two hundred dollars (\$200.00). In addition, the court may
19 require the violator to perform community service of not less than eight hours nor more
20 than 24 hours. The community service required shall be to pick up litter if feasible, and
21 if not feasible, to perform other labor commensurate with the offense committed.

22 (e) Any person who violates subsection (a) of this section in an amount
23 exceeding 500 pounds or in any quantity for commercial purposes, or who discards litter
24 that is a hazardous waste as defined in G.S. 130A-290 is guilty of a Class I felony.

25 (e1) Any person who violates subsection (a1) of this section in an amount
26 exceeding 500 pounds is guilty of an infraction punishable by a fine of not more than
27 three hundred dollars (\$300.00). In addition, the court may require the violator to
28 perform community service of not less than 16 hours nor more than 50 hours. The
29 community service required shall be to pick up litter if feasible, and if not feasible, to
30 perform other labor commensurate with the offense committed.

31 (e2) ~~In addition,~~ If any person violates subsection (a) or (a1) of this section in an
32 amount exceeding 15 pounds or in any quantity for commercial purposes, or discards
33 litter that is a hazardous waste as defined in G.S. 130A-290, the court shall order the
34 violator to:

- 35 (1) Remove, or render harmless, the litter that he discarded in violation of
36 this section;
- 37 (2) Repair or restore property damaged by, or pay damages for any
38 damage arising out of, his discarding litter in violation of this section;
39 or
- 40 (3) Perform community public service relating to the removal of litter
41 discarded in violation of this section or to the restoration of an area
42 polluted by litter discarded in violation of this section.

1 (f) A court may enjoin a violation of this section.

2 (f1) If a violation of subsection (a) of this section involves the operation of a
3 motor vehicle, upon a finding of guilt, the court shall forward a record of the finding to
4 the Department of Transportation, Division of Motor Vehicles, which shall record a
5 penalty of one point on the violator's drivers license pursuant to the point system
6 established by G.S. 20-16. There shall be no insurance premium surcharge or
7 assessment of points under the classification plan adopted under G.S. 58-36-65 for a
8 finding of guilt under this section.

9 (g) A motor vehicle, vessel, aircraft, container, crane, winch, or machine
10 involved in the disposal of more than 500 pounds of litter in violation of subsection (a)
11 of this section is declared contraband and is subject to seizure and summary forfeiture to
12 the State.

13 (h) If a person sustains damages arising out of a violation of subsection (a) of this
14 section that is punishable as a felony, a court, in a civil action for ~~such~~the damages,
15 shall order the person to pay the injured party threefold the actual damages or two
16 hundred dollars (\$200.00), whichever amount is greater. In addition, the court shall
17 order the person to pay the injured party's court costs and attorney's fees.

18 (i) For the purpose of the section, unless the context requires otherwise:

19 (1) "Aircraft" means a motor vehicle or other vehicle that is used or
20 designed to fly, but does not include a parachute or any other device
21 used primarily as safety equipment.

22 (2) Repealed by Session Laws 1999-454, s. 1.

23 (2a) "Commercial purposes" means litter discarded by a business,
24 corporation, association, partnership, sole proprietorship, or any other
25 entity conducting business for economic gain, or by an employee or
26 agent of ~~such~~the entity.

27 (3) "~~Law enforcement officer~~" means any ~~officer of the North Carolina~~
28 ~~Highway Patrol, the State Bureau of Investigation, the Division of~~
29 ~~Motor Vehicles of the Department of Transportation, a county sheriff's~~
30 ~~department, a municipal law enforcement department, a law~~
31 ~~enforcement department of any other political subdivision, the~~
32 ~~Department, or the North Carolina Wildlife Resources Commission.~~
33 law enforcement officer sworn and certified pursuant to Chapter 17C
34 or 17E of the General Statutes, except company police officers as
35 defined in G.S. 74E-6(b)(3). In addition, and solely for the purposes of
36 this section, "law enforcement officer" means any employee of a
37 county or municipality designated by the county or municipality as a
38 litter enforcement ~~officer, officer, or wildlife protectors as defined in~~
39 ~~G.S. 113-128(9);~~

40 (4) "Litter" means any garbage, rubbish, trash, refuse, can, bottle, box,
41 container, wrapper, paper, paper product, tire, appliance, mechanical
42 equipment or part, building or construction material, tool, machinery,

1 wood, motor vehicle or motor vehicle part, vessel, aircraft, farm
2 machinery or equipment, sludge from a waste treatment facility, water
3 supply treatment plant, or air pollution control facility, dead animal, or
4 discarded material in any form resulting from domestic, industrial,
5 commercial, mining, agricultural, or governmental operations. "Litter"
6 While being used for or distributed in accordance with their intended
7 uses, "litter" does not include political pamphlets, handbills, religious
8 tracts, newspapers, and other ~~such~~-similar printed materials the
9 unsolicited distribution of which is protected by the Constitution of the
10 United States or the Constitution of North Carolina.

11 (5) "Vehicle" has the same meaning as in ~~G.S. 20-4.01(49);~~ G.S. 20-
12 4.01(49). ~~and~~

13 (6) "Watercraft" means any boat or vessel used for transportation across
14 the water.

15 (j) It shall be the duty of all law enforcement officers to enforce the provisions of
16 this section.

17 (k) This section does not limit the authority of any State or local agency to
18 enforce other laws, rules or ordinances relating to litter or solid waste management."

19 **SECTION 2.** G.S. 20-116(g) reads as rewritten:

20 "(g) (1) No vehicle shall be driven or moved on any highway unless ~~such~~-the
21 vehicle is so-constructed ~~or~~-and loaded as-to prevent any of its load
22 from falling, blowing, dropping, sifting, leaking, or otherwise escaping
23 therefrom, ~~except that~~ and the vehicle shall not contain any holes,
24 cracks, or openings through which any of its load may escape.
25 However, sand may be dropped for the purpose of securing traction, or
26 water or other substance may be ~~sprinkled~~-sprinkled, dumped, or
27 spread on a roadway in cleaning or maintaining ~~such~~-the roadway. For
28 purposes of this subsection, load does not include water accumulated
29 from precipitation.

30 (2) ~~Trucks, trailers or other vehicles when~~ A truck, trailer, or other
31 vehicle licensed for more than 7,500 pounds gross vehicle weight
32 loaded with rock, gravel, ~~stone~~-stone, or any other similar substances
33 which-substance that could fall, blow, leak, sift-sift, or drop shall not
34 be driven or moved on any highway unless the height of the load
35 against all four walls does not extend above a horizontal line six inches
36 below their tops when loaded at the loading point, ~~or if not so loaded,~~
37 ~~unless~~ point and the load shall be securely covered by tarpaulin or
38 some other suitable covering, ~~or unless it is otherwise constructed so~~
39 as-covering to prevent any of its load from falling, dropping, sifting,
40 leaking, blowing, or otherwise escaping therefrom.

41 (3) Except as provided in this subdivision, a truck, trailer, or other vehicle
42 licensed for 7,500 pounds or less gross vehicle weight loaded with

1 rock, gravel, stone, or any other similar substance that could fall, blow,
2 leak, sift, or drop shall not be driven or moved on any highway unless
3 the height of the load against all four walls does not extend above a
4 horizontal line six inches below the top when loaded at the loading
5 point. If a vehicle subject to this subdivision is not loaded in
6 accordance with this subdivision, the vehicle's load shall be securely
7 covered by tarpaulin or some other suitable covering or the vehicle
8 shall be constructed so as to prevent any of its load from falling,
9 dropping, sifting, leaking, blowing, or otherwise escaping therefrom.

10 (4) ~~Provided this~~ This section shall not be applicable to or in any manner
11 restrict the transportation of seed cotton, of poultry or livestock poultry
12 or livestock, or silage or other feed grain used in the feeding of poultry
13 or livestock."

14 **SECTION 3.** Article 2 of Chapter 136 of the General Statutes is amended by
15 adding a new section to read:

16 **"§ 136-28.11. Litter removal coordinated with mowing of highway rights-of-way.**

17 The Department of Transportation shall, to the extent practicable, schedule the
18 removal of debris, trash, and litter from highways and highway rights-of-way prior to
19 the mowing of highway rights-of-way. The Department of Transportation shall include
20 as a term of any contract that it enters into for the mowing of a highway right-of-way
21 that the contracting party shall, to the extent practicable, coordinate with the scheduled
22 removal of debris, trash, and litter from the highway and highway right-of-way prior to
23 the mowing of the highway right-of-way."

24 **SECTION 4.** Article 2 of Chapter 136 of the General Statutes is amended by
25 adding a new section to read:

26 **"§ 136-32.3. Litter enforcement signs.**

27 The Department of Transportation shall place signs on the Interstate Highway
28 System notifying motorists of the penalties for littering. The signs shall include the
29 amount of the maximum penalty for littering. The Department of Transportation shall
30 determine the locations of and distance between the signs."

31 **SECTION 5.** G.S. 153A-136 reads as rewritten:

32 **"§ 153A-136. Regulation of solid wastes.**

33 (a) A county may by ordinance regulate the storage, collection, transportation,
34 use, disposal, and other disposition of solid wastes. Such an ordinance may:

- 35 (1) Regulate the activities of persons, firms, and corporations, both public
36 and private.
- 37 (2) Require each person wishing to commercially collect or dispose of
38 solid wastes to secure a license from the county and prohibit any
39 person from commercially collecting or disposing of solid wastes
40 without a license. A fee may be charged for a license.
- 41 (3) Grant a franchise to one or more persons for the exclusive right to
42 commercially collect or dispose of solid wastes within all or a defined

1 portion of the county and prohibit any other person from commercially
2 collecting or disposing of solid wastes in that area. The board of
3 commissioners may set the terms of any franchise, except that no
4 franchise may be granted for a period exceeding 30 years, nor may any
5 franchise by its terms impair the authority of the board of
6 commissioners to regulate fees as authorized by this section.

7 (4) Regulate the fees, if any, that may be charged by licensed or
8 franchised persons for collecting or disposing of solid wastes.

9 (5) Require the source separation of materials prior to collection of solid
10 waste for disposal.

11 (6) Require participation in a recycling program by requiring separation of
12 designated materials by the owner or occupant of the property prior to
13 disposal. An owner of recovered materials as defined by G.S.
14 130A-290(a)(24) retains ownership of the recovered materials until the
15 owner conveys, sells, donates, or otherwise transfers the recovered
16 materials to a person, firm, company, corporation, or unit of local
17 government. A county may not require an owner to convey, sell,
18 donate, or otherwise transfer recovered materials to the county or its
19 designee. If an owner places recovered materials in receptacles or
20 delivers recovered materials to specific locations, receptacles, and
21 facilities that are owned or operated by the county or its designee, then
22 ownership of these materials is transferred to the county or its
23 designee.

24 (6a) Regulate the illegal disposal of solid waste, including littering on
25 public and private property, provide for enforcement by civil penalties
26 as well as other remedies, and provide that such regulations may be
27 enforced by county employees specially appointed as environmental
28 enforcement officers.

29 (7) Include any other proper matter.

30 (b) Any ordinance adopted pursuant to this section shall be consistent with and
31 supplementary to any rules adopted by the Commission for Health Services or the
32 Department of Environment and Natural Resources.

33 (c) The board of commissioners of a county shall consider alternative sites and
34 socioeconomic and demographic data and shall hold a public hearing prior to selecting
35 or approving a site for a new sanitary landfill that receives residential solid waste that is
36 located within one mile of an existing sanitary landfill within the State. The distance
37 between an existing and a proposed site shall be determined by measurement between
38 the closest points on the outer boundary of each site. The definitions set out in G.S.
39 130A-290 apply to this subsection. As used in this subsection:

40 (1) "Approving a site" refers to prior approval of a site under G.S.
41 130A-294(a)(4).

- 1 (2) "Existing sanitary landfill" means a sanitary landfill that is in operation
2 or that has been in operation within the five-year period immediately
3 prior to the date on which an application for a permit is submitted.
- 4 (3) "New sanitary landfill" means a sanitary landfill that includes areas not
5 within the legal description of an existing sanitary landfill as set out in
6 the permit for the existing sanitary landfill.
- 7 (4) "Socioeconomic and demographic data" means the most recent
8 socioeconomic and demographic data compiled by the United States
9 Bureau of the Census and any additional socioeconomic and
10 demographic data submitted at the public hearing.

11 (d) As used in this section, "solid waste" means nonhazardous solid waste, that is,
12 solid waste as defined in G.S. 130A-290 but not including hazardous waste."

13 **SECTION 6.** G.S. 160A-185 reads as rewritten:

14 **"§ 160A-185. Emission of pollutants or contaminants.**

15 A city may by ordinance regulate, restrict, or prohibit the emission or disposal of
16 substances or effluents that tend to pollute or contaminate land, water, or air, rendering
17 or tending to render it injurious to human health or welfare, to animal or plant life or to
18 property, or interfering or tending to interfere with the enjoyment of life or property. A
19 city may by ordinance regulate the illegal disposal of solid waste, including littering on
20 public and private property, provide for enforcement by civil penalties as well as other
21 remedies, and provide that such regulations may be enforced by city employees
22 specially appointed as environmental enforcement officers. Any such ordinance shall be
23 consistent with and supplementary to State and federal laws and regulations."

24 **SECTION 7.** Article 3 of Chapter 163 of the General Statutes is amended by
25 adding a new section to read:

26 **"§ 163-22.3. State Board of Elections littering notification.**

27 At the time an individual files with the State Board of Elections a notice of
28 candidacy pursuant to G.S. 163-106, 163-112, 163-291, 163-294.2, or 163-323, is
29 certified to the State Board of Elections by a political party executive committee to fill a
30 nomination vacancy pursuant to G.S. 163-114, is certified to the State Board of
31 Elections by a new political party as that party's nominee pursuant to G.S. 163-98,
32 qualifies with the State Board of Elections as an unaffiliated or write-in candidate
33 pursuant to Article 11 of this Chapter, or formally initiates a candidacy with the State
34 Board of Elections pursuant to any statute or local act, the State Board of Elections shall
35 notify the candidate of the provisions concerning campaign signs in G.S. 136-32 and
36 G.S. 14-156, and the rules adopted by the Department of Transportation pursuant to
37 G.S. 136-18."

38 **SECTION 8.** Article 4 of Chapter 163 of the General Statutes is amended by
39 adding a new section to read:

40 **"§ 163-33.3. County board of elections littering notification.**

41 At the time an individual files with a county board of elections a notice of candidacy
42 pursuant to G.S. 163-106, 163-112, 163-291, or 163-294.2, is certified to a county board

1 of elections by a political party executive committee to fill a nomination vacancy
2 pursuant to G.S. 163-114, qualifies with a county board of elections as an unaffiliated or
3 write-in candidate pursuant to Article 11 of this Chapter, or formally initiates with a
4 county board of elections a candidacy pursuant to any statute or local act, the county
5 board of elections shall notify the candidate of the provisions concerning campaign
6 signs in G.S. 136-32 and G.S. 14-156 and the rules adopted by the Department of
7 Transportation pursuant to G.S. 136-18.

8 **SECTION 9.** The text of G.S. 147-12 is designated as subsection (a) of that
9 section, and G.S. 147-12 is further amended by adding a new subsection to read:

10 "**(b)** The Department of Transportation, the Department of Correction, the
11 Department of Crime Control and Public Safety, the State Highway Patrol, the Wildlife
12 Resources Commission, the Division of Parks and Recreation in the Department of
13 Environment and Natural Resources, and the Division of Marine Fisheries in the
14 Department of Environment and Natural Resources shall deliver to the Governor by
15 February 1 and August 1 of each year detailed information on the agency's litter
16 enforcement, litter prevention, and litter removal efforts. The Administrative Office of
17 the Courts shall deliver to the Governor by February 1 and August 1 of each year
18 detailed information on the enforcement of the littering laws of the State, including the
19 number of charges and convictions under the littering laws of the State. The Governor
20 shall gather the information submitted by the respective agencies and deliver a
21 consolidated semiannual report on or before March 1 and September 1 of each year to
22 the Environmental Review Commission, the Joint Legislative Transportation Oversight
23 Committee, and the House of Representatives and the Senate Appropriations
24 Subcommittees on Natural and Economic Resources."

25 **SECTION 10.** The first reports required to be delivered by the Department
26 of Transportation, the Department of Correction, the Department of Crime Control and
27 Public Safety, the State Highway Patrol, the Wildlife Resources Commission, the
28 Division of Parks and Recreation in the Department of Environment and Natural
29 Resources, the Division of Marine Fisheries in the Department of Environment and
30 Natural Resources, and the Administrative Office of the Courts to the Governor under
31 G.S. 147-12(b), as enacted by Section 10 of this act, shall be due February 1, 2002. The
32 first report required to be delivered by the Governor to the Environmental Review
33 Commission, the Joint Legislative Transportation Oversight Committee, and the House
34 of Representatives and the Senate Appropriations Subcommittees on Natural and
35 Economic Resources under G.S. 147-12(b), as enacted by Section 10 of this act, shall be
36 due March 1, 2002.

37 **SECTION 11.** The State Board of Education shall report to the Joint
38 Legislative Education Oversight Committee and the Environmental Review
39 Commission by December 15 of the years 2003 through 2007, on the recycling efforts
40 of the public schools in the State. These reports shall include information provided by
41 local school administrative units on the number of public schools that have recycling
42 programs and the types of recyclable materials that are collected. If the Joint

1 Legislative Education Oversight Committee or the Environmental Review Commission
2 determines that sufficient progress in establishing recycling programs in the public
3 schools of the State has not been made by January 1, 2008, the Committee or
4 Commission shall recommend legislation to the 2008 Regular Session of the 2007
5 General Assembly to continue the reporting requirement established by this section.

6 **SECTION 12.** G.S. 115C-47 is amended by adding a new subdivision to
7 read:

8 "(39) To Encourage Recycling in Public Schools. – Local boards of
9 education shall encourage recycling in public schools and may develop
10 and implement recycling programs at public schools."

11 **SECTION 13.** G.S. 130A-309.14 is amended by adding new subsections to
12 read:

13 "(k) The Department of Transportation shall provide and maintain recycling bins
14 at each rest area located in this State on a highway in the Interstate Highway System or
15 in the State highway system for the collection of all of the following recyclable
16 materials for which recycling is feasible:

- 17 (1) Aluminum.
- 18 (2) Newspaper.
- 19 (3) Recyclable glass.
- 20 (4) Plastic bottles.

21 For each rest area that has recycling bins, the Department of Transportation shall install
22 signs, or modify existing signs, that are proximately located to the rest area to notify
23 motorists that the rest area has recycling bins.

24 **SECTION 14.** G.S. 130A-309.14(a)(1) reads as rewritten:

25 "(1) Establish a program in cooperation with the Department and the
26 Department of ~~Administration, Administration~~ for the collection of all
27 recyclable ~~aluminum and wastepaper~~ materials generated in State
28 offices throughout the State, ~~including, at a minimum, high grade~~
29 ~~office paper and corrugated paper.~~ State. The program shall provide
30 that recycling bins are readily accessible on each floor where State
31 employees are located in a building occupied by a State agency.
32 Recycling bins required pursuant to this subdivision shall not be
33 located in a publicly traveled area. The program shall provide for the
34 collection of all of the following recyclable materials.

- 35 a. Aluminum.
- 36 b. Newspaper.
- 37 c. Sorted office paper.
- 38 d. Recyclable glass.
- 39 e. Plastic bottles.

40 As used in this subdivision, the term 'sorted office paper' means paper used in offices
41 that is of a high quality for purposes of recycling and includes copier paper, computer
42 paper, letterhead, ledger, white envelopes, and bond paper."

1 **SECTION 15.** This act shall not be construed to obligate the General
2 Assembly to appropriate any funds to implement the provisions of this act. Every
3 agency to which this act applies shall implement the provisions of this act from funds
4 otherwise appropriated or available to the agency.

5 **SECTION 16.** Sections 1 and 2 of this act become effective December 1,
6 2001, and apply to offenses committed on or after that date. Sections 5, 6, 9, 10, 11, 12,
7 15, and 16 of this act are effective when it becomes law. Sections 7 and 8 of this act
8 become effective December 1, 2001. Sections 3, 4, 13, and 14 of this act become
9 effective January 1, 2002.