

facilities to the extent that they are representative of a class of facilities which can be identified and conditioned by a single permit.

Sec. 2. Section 455B.304, Code 1995, is amended by adding the following new subsection:

**NEW SUBSECTION.** 19. The commission shall adopt rules for the issuance of a single general permit, after notice and opportunity for a public hearing. The single general permit shall cover numerous facilities to the extent that they are representative of a class of facilities which can be identified and conditioned by a single permit.

Sec. 3. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 24, 1995

## CHAPTER 62

### STATE PURCHASES OF PLASTIC GARBAGE CAN LINERS

S.F. 247

AN ACT relating to plastic garbage can liners with recycled content.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 18.18, Code 1995, is amended to read as follows:

18.18 STATE PURCHASES - RECYCLED PRODUCTS - ~~STARCH-BASED PLASTICS AND SOYBEAN-BASED INKS.~~

1. When purchasing paper products, the department of ~~general services~~ shall, when the price is reasonably competitive and the quality as intended, purchase the recycled product. The department of ~~general services~~ shall also purchase, when the price is reasonably competitive and the quality as intended, and in keeping with the schedule established in this subsection, soybean-based inks and ~~starch-based plastics~~, plastic products with recycled content including but not limited to ~~starch-based plastic garbage can liners.~~

a. By July 1, ~~1980~~, a minimum of fifty 1991, one hundred percent of the purchases of inks which are used for newsprint printing services performed internally or contracted for by the department of ~~general services~~ shall be soybean-based. ~~The percentage of purchases by the department of soybean-based inks used for newsprint printing services shall increase by July 1, 1991, to one hundred percent of the total purchases of inks used for newsprint printing services.~~

b. By July 1, ~~1991~~, a minimum of twenty five 1993, one hundred percent of the purchases of inks, other than inks which are used for newsprint printing services, and which are used internally or contracted for by the department of ~~general services~~, shall be soybean-based to the extent formulations for such inks are available. ~~The percentage of purchases by the department of the soybean-based inks, to the extent formulations for such inks are available, shall increase by July 1, 1992, to fifty percent of the total purchases of the inks, and shall increase by July 1, 1993, to one hundred percent of the total purchases of the inks.~~

c. By July 1, ~~1980~~, a minimum of fifteen percent of the purchases of garbage can liners made by the department of ~~general services~~ shall be ~~starch-based plastic garbage can liners.~~ The percentage purchased shall increase by five percent annually until fifty percent of the purchases of garbage can liners are purchases of starch-based plastic garbage

can liners. By July 1, 1995, a minimum of ten percent of the purchases of garbage can liners made by the department shall be plastic garbage can liners with recycled content. The percentage shall increase by ten percent annually until fifty percent of the purchases of garbage can liners are plastic garbage can liners with recycled content.

d. The department of ~~general services~~ shall report to the general assembly on February 1 of each year the following:

(1) ~~Plastic~~ A listing of plastic products which are regularly purchased by the department of general services and other state agencies for which starch-based recycled content product alternatives are available. The report shall also include, including the cost of the plastic products purchased and the cost of the starch-based recycled content product alternatives.

(2) Information relating to soybean-based inks and starch-based plastic garbage can liners with recycled content regularly purchased by the department and other state agencies. ~~The report shall include, including the cost of purchasing soybean-based inks and starch-based plastic garbage can liners, with recycled content and the percentage of inks purchased which are soybean-based and the percentage of liners purchased which are starch-based percentages of soybean-based inks and plastic garbage can liners with recycled content that have been purchased.~~

e. For purposes of this section "recycled content" means that the content of the product contains a minimum of thirty percent postconsumer material.

2. a. As used in this subsection, unless the context otherwise requires:

(1) "Recycled paper" means a paper product with not less than fifty percent of its total weight consisting of secondary and postconsumer material. At least ten percent of the total weight of recycled paper shall be postconsumer materials.

(2) "Postconsumer material" means only those products generated by a business or consumer which have served their intended end uses, and which have been separated or diverted from solid waste for the purposes of collection, recycling, and disposition. Postconsumer material does not include manufacturing wastes.

(3) "Secondary material" means fragments of finished products or finished products of a manufacturing process which has converted a resource into a commodity of real economic value, and includes postconsumer material but does not include excess virgin resources of the manufacturing process.

b. The department, in conjunction with recommendations made by the department of natural resources, shall purchase and use recycled printing and writing paper so that ~~twenty-five percent by January 1, 1990, fifty percent by January 1, 1992, seventy-five percent by January 1, 1996, and ninety percent by January 1, 2000, of the volume of printing and writing paper purchased is recycled paper.~~

c. The department shall adopt standards for the allowable content of postconsumer and secondary material of recycled paper which shall conform with but may be more stringent than the American society for testing and materials standards.

d. The department shall establish a prioritization procedure for the purchase of recycled paper which provides for a five percent differential in the cost of the purchase of paper which has been recycled through the use of a nonchlorinated process.

e. If a provision under this subsection results in the limitation of sources for the purchase of printing and writing paper to three or fewer sources, the department may waive the requirement in order to purchase necessary amounts of printing and writing paper.

f. The department of general services, in conjunction with the department of natural resources, shall review the availability of a higher percentage content of postconsumer content printing and writing paper and shall, by rule, adjust the percentage requirement accordingly.

g. Notwithstanding the requirements of this subsection regarding the purchase of recycled paper, the department shall purchase acid-free permanent paper in the amount

necessary for the production or reproduction of documents, papers, or similar materials produced or reproduced for permanent preservation pursuant to law.

3. The department of general services, in conjunction with the department of natural resources, shall review the procurement specifications currently used by the state to eliminate, wherever possible, discrimination against the procurement of products manufactured with recovered materials, ~~starch-based plastics~~, and soybean-based inks.

4. The department of natural resources shall assist the department of general services in locating suppliers of recycled products, ~~starch-based plastics~~, and soybean-based inks and collecting data on recycled content, ~~starch-based plastic~~, and soybean-based ink purchases.

5. Information on recycled content shall be requested on all bids for paper products issued by the state and on other bids for products which could have recycled content such as oil, plastic products, including but not limited to starch-based plastic products, compost materials, aggregate, solvents, soybean-based inks, and rubber products.

6. The department of general services, in conjunction with the department of natural resources, shall adopt rules and regulations to carry out the provisions of this section.

7. All state agencies shall fully cooperate with the departments of general services and natural resources in all phases of implementing this section.

8. The department ~~of general services~~, by January 1, 1993, shall seek an agreement with the agencies of the states of Minnesota and Wisconsin authorized to purchase general use items for state agencies, to provide for the cooperative purchase of recycled products.

9. The department ~~shall~~, whenever technically feasible, shall purchase and use degradable loose foam packing material manufactured from grain starches or other renewable resources, unless the cost of the packing material is more than ten percent greater than the cost of packing material made from nonrenewable resources. For the purposes of this subsection, "packing material" means material, other than an exterior packing shell, that is used to stabilize, protect, cushion, or brace the contents of a package.

Sec. 2. Section 216B.3, subsection 12, Code 1995, is amended to read as follows:

12. Manage and control the property, both real and personal, belonging to the department. The commission shall, according to the schedule established in this subsection, when the price is reasonably competitive and the quality as intended, purchase soybean-based inks and ~~starch-based plastics~~ plastic products with recycled content, including but not limited to ~~starch-based plastic~~ garbage can liners. For purposes of this subsection, "recycled content" means that the content of the product contains a minimum of thirty percent postconsumer material.

a. ~~By July 1, 1989, a minimum of fifty~~ 1991, one hundred percent of the purchases of inks which are used for newsprint paper for printing services performed internally or contracted for by the commission shall be soybean-based. ~~The percentage of purchases by the commission of soybean-based inks used for newsprint printing services shall increase by July 1, 1991, to one hundred percent of the total purchases of inks used for newsprint printing services.~~

b. ~~By July 1, 1989, a minimum of fifteen percent of the purchases of garbage can liners made by the commission shall be starch-based plastic garbage can liners. The percentage purchased shall increase by five percent annually until fifty percent of the purchases of garbage can liners are purchases of starch-based plastic garbage can liners. By July 1, 1995, a minimum of ten percent of the purchases of garbage can liners made by the commission shall be plastic garbage can liners with recycled content. The percentage purchased shall increase by ten percent annually until fifty percent of the purchases of garbage can liners are plastic garbage can liners with recycled content.~~

c. ~~By July 1, 1991, a minimum of twenty-five~~ 1993, one hundred percent of the purchases of inks, other than inks which are used for newsprint printing services, and which

are used internally or contracted for by the commission, shall be soybean-based to the extent formulations for such inks are available. ~~The percentage of purchases by the commission of the soybean-based inks, to the extent formulations for such inks are available, shall increase by July 1, 1992, to fifty percent of the total purchases of the inks, and shall increase by July 1, 1993, to one hundred percent of the total purchases of the inks.~~

d. The commission shall report to the general assembly on February 1 of each year, the following:

(1) ~~Plastic A listing of plastic products which are regularly purchased by the commission for which starch-based recycled content product alternatives are available. The report shall also include, including the cost of the plastic products purchased and the cost of the starch-based recycled content product alternatives.~~

(2) Information relating to soybean-based inks and starch-based plastic garbage can liners with recycled content regularly purchased by the commission. ~~The report shall include, including the cost of purchasing soybean-based inks and starch-based plastic garbage can liners, with recycled content and the percentage of inks purchased which are soybean-based and the percentage of liners purchased which are starch-based percentages of soybean-based inks and plastic garbage can liners with recycled content that have been purchased.~~

e. The department of natural resources shall review the procurement specifications currently used by the commission to eliminate, wherever possible, discrimination against the procurement of products manufactured with starch-based plastics recycled content and soybean-based inks.

f. The department of natural resources shall assist the commission in locating suppliers of starch-based plastics products with recycled content and soybean-based inks, and collecting data on recycled content, starch-based plastic, and soybean-based ink purchases.

g. The commission, in conjunction with the department of natural resources, shall adopt rules to carry out the provisions of this section.

h. The department of natural resources shall cooperate with the commission in all phases of implementing this section.

Sec. 3. Section 262.9, subsection 4, Code 1995, is amended to read as follows:

4. Manage and control the property, both real and personal, belonging to the institutions. The board shall purchase or require the purchase of, when the price is reasonably competitive and the quality as intended, and in keeping with the schedule established in this subsection, soybean-based inks and starch-based plastics plastic products with recycled content, including but not limited to starch-based plastic garbage can liners. For purposes of this subsection, "recycled content" means that the content of the product contains a minimum of thirty percent postconsumer material.

a. All inks purchased that are used internally or contracted for by the board shall be soybean-based to the extent formulations for such inks are available.

b. ~~By July 1, 1980, a minimum of fifteen percent of the purchases of garbage can liners made by the board shall be starch-based plastic garbage can liners. The percentage purchased shall increase by five percent annually until fifty percent of the purchases of garbage can liners are purchases of starch-based plastic garbage can liners. By July 1, 1995, a minimum of ten percent of the purchases of garbage can liners made by the board shall be plastic garbage can liners with recycled content. The percentage shall increase by ten percent annually until fifty percent of the purchases of garbage can liners are plastic garbage can liners with recycled content.~~

c. The board shall report to the general assembly on February 1 of each year, the following:

(1) ~~Plastic A listing of plastic products which are regularly purchased by the board for which starch-based recycled content product alternatives are available. The report shall also include, including the cost of the plastic products purchased and the cost of the starch-based recycled content product alternatives.~~

(2) Information relating to soybean-based inks and starch-based plastic garbage can liners regularly purchased by the board. ~~The report shall include, including the cost of purchasing soybean-based inks and starch-based plastic garbage can liners, with recycled content and the percentage of inks purchased which are soybean-based and the percentage of liners purchased which are starch-based percentages of soybean-based inks and plastic garbage can liners with recycled content that have been purchased.~~

d. The department of natural resources shall review the procurement specifications currently used by the board to eliminate, wherever possible, discrimination against the procurement of products manufactured with starch-based plastics and soybean-based inks.

e. The department of natural resources shall assist the board in locating suppliers of starch-based plastics recycled content products and soybean-based inks and collecting data on starch-based plastic recycled content and soybean-based ink purchases.

f. The board, in conjunction with the department of natural resources, shall adopt rules to carry out the provisions of this section.

g. The department of natural resources shall cooperate with the board in all phases of implementing this section.

Sec. 4. Section 307.21, subsection 4, paragraphs a and c, Code 1995, are amended to read as follows:

a. Provide centralized purchasing services for the department, in co-operation with the department of general services. The administrator shall, when the price is reasonably competitive and the quality as intended, purchase soybean-based inks and starch-based plastics plastic products with recycled content, including but not limited to starch-based plastic garbage can liners, and shall purchase these items in accordance with the schedule established in section 18.18. However, the administrator need not purchase garbage can liners in accordance with the schedule if the liners are utilized by a facility approved by the environmental protection commission created under section 455A.6, for purposes of recycling. For purposes of this subsection, "recycled content" means that the content of the product contains a minimum of thirty percent postconsumer material.

c. The department shall report to the general assembly by February 1 of each year, the following:

(1) ~~Plastic~~ A listing of plastic products which are regularly purchased by the board for which starch-based recycled content product alternatives are available. ~~The report shall also include, including the cost of the plastic products purchased and the cost of the starch-based recycled content product alternatives.~~

(2) Information relating to soybean-based inks and starch-based plastic garbage can liners with recycled content regularly purchased by the department. ~~The report shall include, including the cost of purchasing soybean-based inks and starch-based plastic garbage can liners with recycled content, the percentage of inks purchased which are soybean-based and the percentage of liners purchased which are starch-based and the percentages of soybean-based inks and plastic garbage can liners with recycled content that have been purchased.~~

Approved April 24, 1995