

(P. 642) 3-15-94 - House - Do Pass

FILED FEB 24 1994
SENATE FILE 2205
BY COMMITTEE ON ENVIRONMENT
AND ENERGY UTILITIES

(SUCCESSOR TO SSB 2110)

Passed Senate, Date ^(P.533) 3-7-94 Passed House, Date ^(P.1399) 4/12/94
Vote: Ayes 48 Nays 0 Vote: Ayes 96 Nays 0
Approved April 19, 1994

A BILL FOR

1 An Act relating to regulated toxics in packaging.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2205

1 Section 1. Section 455D.19, subsection 2, Code 1993, is
2 amended by adding the following new paragraphs after paragraph
3 a and relettering as necessary:

4 NEW PARAGRAPH. b. "Intentional introduction" means an act
5 of deliberately utilizing a regulated metal in the formulation
6 of a package or packaging component where its combined
7 presence is desired in the final package or packaging
8 component to provide a specific characteristic, appearance, or
9 quality. Intentional introduction does not include the use of
10 a regulated metal as a processing agent or intermediate to
11 impart certain chemical or physical changes during
12 manufacturing, if the incidental presence of a residue of the
13 metal in the final package or packaging component is neither
14 desired nor deliberate, and if the final package or packaging
15 component is in compliance with subsection 5, paragraph "c".
16 Intentional introduction also does not include the use of
17 postconsumer recycled materials as feedstock for the
18 manufacture of new packaging materials, if the recycled
19 materials contain amounts of a regulated metal and if the new
20 package or packaging component is in compliance with
21 subsection 5, paragraph "c". "Regulated metal" means any
22 metal regulated under this section.

23 NEW PARAGRAPH. c. "Incidental presence" means the
24 presence of a regulated metal as an unintended or undesired
25 ingredient of a package or packaging component.

26 EXPLANATION

27 Current law prohibits a manufacturer or distributor from
28 selling a package or packaging component or a product in a
29 package which includes in the package itself or in the
30 packaging component any lead, cadmium, mercury, or hexavalent
31 chromium which has been intentionally introduced as an element
32 during manufacturing or distribution. Section 455D.19 allows
33 the incidental presence of these metals in an amount not to
34 exceed established concentration levels. The current law does
35 not define "intentional introduction" or "incidental

1 presence".

2 This bill defines the term "intentional introduction" as
3 the deliberate use of lead, cadmium, mercury, or hexavalent
4 chromium where it is desired to provide a specific
5 characteristic, appearance, or quality. It is not considered
6 intentional introduction if the concentration levels of the
7 lead, cadmium, mercury, or hexavalent chromium residue do not
8 exceed 100 parts per million by weight. In addition, the use
9 of postconsumer materials as feedstock in new packaging
10 materials, where some portion of the recycled material
11 contains amounts of the regulated metals, is not considered
12 intentional if the concentration levels do not exceed 100
13 parts per million by weight.

14 "Incidental presence" is defined as the presence of a
15 regulated metal as an unintended or undesired ingredient of a
16 package or packaging component.

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Frik. Chair
DeLukey
Banks

SSB-2110
Environment

SENATE FILE 2205
BY (PROPOSED COMMITTEE ON
ENVIRONMENT AND ENERGY
UTILITIES BILL BY
CHAIRPERSON ROSENBERG)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to regulated toxics in packaging.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 455D.19, subsection 2, Code 1993, is
2 amended by adding the following new paragraphs after paragraph
3 a and relettering as necessary:

4 NEW PARAGRAPH. b. "Intentional introduction" means an act
5 of deliberately utilizing a regulated metal in the formulation
6 of a package or packaging component where its combined
7 presence is desired in the final package or packaging
8 component to provide a specific characteristic, appearance, or
9 quality. Intentional introduction does not include the use of
10 a regulated metal as a processing agent or intermediate to
11 impart certain chemical or physical changes during
12 manufacturing, if the incidental presence of a residue of the
13 metal in the final package or packaging component is neither
14 desired nor deliberate but unavoidable for technical reasons,
15 and if the final package or packaging component is in
16 compliance with subsection 5, paragraph "c". Intentional
17 introduction also does not include the use of postconsumer
18 recycled materials as feedstock for the manufacture of new
19 packaging materials, if the recycled materials contain amounts
20 of a regulated metal and if the new package or packaging
21 component is in compliance with subsection 5, paragraph "c".
22 "Regulated metal" means any metal regulated under this
23 section.

24 NEW PARAGRAPH. c. "Incidental presence" means the
25 presence of a regulated metal as an unintended or undesired
26 ingredient of a package or packaging component.

27 EXPLANATION

28 Current law prohibits a manufacturer or distributor from
29 selling a package or packaging component or a product in a
30 package which includes in the package itself or in the
31 packaging component any lead, cadmium, mercury, or hexavalent
32 chromium which has been intentionally introduced as an element
33 during manufacturing or distribution. Section 455D.19 allows
34 the incidental presence of these metals in an amount not to
35 exceed established concentration levels. The current law does

1 not define "intentional introduction" or "incidental
2 presence".

3 This bill defines the term "intentional introduction" as
4 the deliberate use of lead, cadmium, mercury, or hexavalent
5 chromium where it is desired to provide a specific
6 characteristic, appearance, or quality. If the lead, cadmium,
7 mercury, or hexavalent chromium residue is unavoidable for
8 technical reasons it is not considered intentional
9 introduction if the concentration levels do not exceed 100
10 parts per million by weight. In addition, the use of
11 postconsumer materials as feedstock in new packaging
12 materials, where some portion of the recycled material
13 contains amounts of the regulated metals, is not considered
14 intentional if the concentration levels do not exceed 100
15 parts per million by weight.

16 "Incidental presence" is defined as the presence of a
17 regulated metal as an unintended or undesired ingredient of a
18 package or packaging component.

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SENATE FILE 2206

AN ACT

RELATING TO THE LICENSING OF NONRESIDENT HUNTERS OF DEER AND TURKEY AND PROVIDING EFFECTIVE AND APPLICABILITY DATE PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 483A.7, subsection 3, Code 1993, is amended to read as follows:

3. A nonresident wild turkey hunter is required to have only a nonresident wild turkey hunting license and a wildlife habitat stamp. The commission shall annually limit to six hundred two thousand licenses the number of nonresidents allowed to have wild turkey hunting licenses. The number of nonresident wild turkey hunting licenses shall be determined as provided in section 481A.38. The commission shall allocate the nonresident wild turkey hunting licenses issued among the zones based on the populations of wild turkey. A nonresident applying for a wild turkey hunting license must exhibit proof of having successfully completed a hunter safety and ethics

education program as provided in section 483A.27 or its equivalent as determined by the department before the license is issued.

Sec. 2. Section 483A.8, subsection 3, Code 1993, is amended to read as follows:

3. A nonresident deer hunter is required to have only a nonresident deer license and a wildlife habitat stamp. The commission shall annually limit to one five thousand two hundred licenses the number of nonresidents allowed to have deer hunting licenses. The number of nonresident deer hunting licenses shall be determined as provided in section 481A.38. The commission shall allocate the nonresident deer hunting licenses issued among the zones based on the populations of deer. However, a nonresident applicant may request one or more hunting zones, in order of preference, in which the applicant wishes to hunt. If the request cannot be fulfilled, the applicable fees shall be returned to the applicant. A nonresident applying for a deer hunting license must exhibit proof of having successfully completed a hunter safety and ethics education program as provided in section 483A.27 or its equivalent as determined by the department before the license is issued.

Sec. 3. Section 483A.30, Code 1993, is amended by striking the section and inserting in lieu thereof the following:

483A.30 NONRESIDENT DEER AND TURKEY LICENSE FEES.

Notwithstanding any limitation on full-time equivalent or permanent positions imposed as otherwise provided by law or by the department of management or any point limitation on personnel imposed by the department of management, the department of natural resources shall use the revenues received from the nonresident deer and wild turkey hunting license fees to employ as many new full-time conservation officers as possible with the revenues received until ninety-nine conservation officers are employed in nonsupervisory positions.

Sec. 4. EFFECTIVE DATE. This Act takes effect December 15, 1994, and applies to the 1995 license year and each subsequent license year.

LEONARD L. BOSWELL
President of the Senate

HAROLD VAN MAANEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2206, Seventy-fifth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 25, 1994

TERRY E. BRANSTAD
Governor

NEW PARAGRAPH. c. "Incidental presence" means the presence of a regulated metal as an unintended or undesired ingredient of a package or packaging component.

SENATE FILE 2205

AN ACT
RELATING TO REGULATED TOXICS IN PACKAGING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 455D.19, subsection 2, Code 1993, is amended by adding the following new paragraphs after paragraph a and relettering as necessary:

NEW PARAGRAPH. b. "Intentional introduction" means an act of deliberately utilizing a regulated metal in the formulation of a package or packaging component where its combined presence is desired in the final package or packaging component to provide a specific characteristic, appearance, or quality. Intentional introduction does not include the use of a regulated metal as a processing agent or intermediate to impart certain chemical or physical changes during manufacturing, if the incidental presence of a residue of the metal in the final package or packaging component is neither desired nor deliberate, and if the final package or packaging component is in compliance with subsection 5, paragraph "c". Intentional introduction also does not include the use of postconsumer recycled materials as feedstock for the manufacture of new packaging materials, if the recycled materials contain amounts of a regulated metal and if the new package or packaging component is in compliance with subsection 5, paragraph "c". "Regulated metal" means any metal regulated under this section.

LEONARD L. BOSWELL
President of the Senate

HAROLD VAN MAANEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2205, Seventy-fifth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 19, 1994

TERRY E. BRANSTAD
Governor