

Senate... 5/1/92, No Pass 3/25

FEB 24 1992

Place On Calendar

HOUSE FILE 2275
BY COMMITTEE ON ENERGY AND
ENVIRONMENTAL PROTECTION

(SUCCESSOR TO HSB 574)

Passed House, Date 3/27/92 (p. 275) Passed Senate, Date 3/30/92 (p. 4)
Vote: Ayes 45 Nays 0 Vote: Ayes 49 Nays 0
Approved April 15, 1992 (p. 1514)

A BILL FOR

1 An Act relating to the establishment of a preference for the
2 purchase of recycled lubricating and industrial oils by the
3 department of general services, the state board of regents,
4 the state department of transportation, and the department for
5 the blind.

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

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HF 2275

1 Section 1. NEW SECTION. 18.22 LUBRICATION OIL AND
2 INDUSTRIAL OIL PURCHASES.

3 The department shall do all of the following:

4 1. Revise its procedures and specifications for the
5 purchase of lubricating oil and industrial oil to eliminate
6 exclusion of recycled oils and any requirement that oils be
7 manufactured from virgin materials.

8 2. Require that purchases of lubricating oil and
9 industrial oil be made from the seller whose oil product
10 contains the greatest percentage of recycled oil, unless one
11 of the following circumstances regarding a specific oil
12 product containing recycled oil exists:

13 a. The product is not available within a reasonable period
14 of time or in quantities necessary or in container sizes
15 appropriate to meet a state agency's needs.

16 b. The product does not meet the performance requirements
17 or standards recommended by the equipment or vehicle
18 manufacturer, including any warranty requirements.

19 c. The product is available only at a cost greater than
20 one hundred five percent of the cost of comparable virgin oil
21 products.

22 3. Establish and maintain a preference program for
23 procuring oils containing the maximum content of recycled oil.
24 The preference program shall include but is not limited to all
25 of the following:

26 a. The inclusion of the preferences for recycled oil
27 products in publications used to solicit bids from suppliers.

28 b. The provision of a description of the recycled oil
29 procurement program at bidders' conferences.

30 c. Discussion of the preference program in lubricating oil
31 and industrial oil procurement solicitations or invitations to
32 bid.

33 d. Efforts to inform industry trade associations about the
34 preference program.

35 Sec. 2. Section 262.9, subsection 5, Code Supplement 1991,

1 is amended to read as follows:

2 5. In conjunction with the recommendations made by the
3 department of natural resources, purchase and use recycled
4 printing and writing paper, with the exception of specialized
5 paper when no recyclable product is available, in accordance
6 with the schedule established in section 18.18; establish a
7 wastepaper recycling program by January 1, 1990, for all
8 institutions governed by the board in accordance with
9 recommendations made by the department of natural resources
10 and the requirements of section 18.20; comply with, and the
11 institutions governed by the board shall also comply with the
12 recycling goal, recycling schedule, and ultimate termination
13 of purchase and use of polystyrene products for the purpose of
14 storing, packaging, or serving food for immediate consumption
15 pursuant to section 455D.16; and shall, in accordance with the
16 requirements of section 18.6, require product content
17 statements, the provision of information regarding on-site
18 review of waste management in product bidding and contract
19 procedures, and compliance with requirements regarding
20 procurement specifications; and shall comply with the
21 requirements for the purchase of lubricating oils and
22 industrial oils as established pursuant to section 18.22.

23 Sec. 3. Section 307.21, subsection 4, paragraph b, Code
24 Supplement 1991, is amended by adding the following new
25 subparagraph:

26 NEW SUBPARAGRAPH. (5) Comply with the requirements for
27 the purchase of lubricating oils and industrial oils as
28 established pursuant to section 18.22.

29 Sec. 4. Section 601L.3, Code Supplement 1991, is amended
30 by adding the following new subsection:

31 NEW SUBSECTION. 16. Comply with the requirements for the
32 purchase of lubricating oils and industrial oils as
33 established pursuant to section 18.22.

34 EXPLANATION

35 This bill requires the department of general services, the

1 state board of regents, the state department of
2 transportation, and the department for the blind to revise
3 their procedures and specifications for the purchase of
4 lubricating and industrial oils, to purchase lubricating and
5 industrial oils which include recycled oils with certain
6 exceptions, and to establish a preference program for
7 procuring oils containing the maximum content of recycled
8 oils.

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HSB 574

ENERGY AND ENVIRONMENTAL PROTECTION

Now

SENATE/HOUSE FILE *2275*

BY (PROPOSED GOVERNOR'S BILL)

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

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2 purchase of recycled lubricating and industrial oils by the
3 department of general services, the state board of regents,
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SUB COMMITTEE ASSIGNMENTS
Reassigned
 CHAIR: *Kolbeck*
 COMMITTEE: *Energy*
Neudorfer
Energy
2/4/92
1-30-92

1 Section 1. NEW SECTION. 18.22 LUBRICATION OIL AND
2 INDUSTRIAL OIL PURCHASES.

3 The department shall do all of the following:

- 4 1. Revise its procedures and specifications for the
5 purchase of lubricating oil and industrial oil to eliminate
6 exclusion of recycled oils and any requirement that oils be
7 manufactured from virgin materials.
- 8 2. Require that purchases of lubricating oil and
9 industrial oil be made from the seller whose oil product
10 contains the greatest percentage of recycled oil, unless one
11 of the following circumstances regarding a specific oil
12 product containing recycled oil exists:
- 13 a. The product is not available within a reasonable period
14 of time or in quantities necessary to meet a state agency's
15 needs.
- 16 b. The product does not meet the performance requirements
17 or standards recommended by the equipment or vehicle
18 manufacturer, including any warranty requirements.
- 19 c. The product is available only at a cost greater than
20 one hundred five percent of the cost of comparable virgin oil
21 products.
- 22 3. Establish and maintain a preference program for
23 procuring oils containing the maximum content of recycled oil.
24 The preference program shall include but is not limited to all
25 of the following:
- 26 a. The inclusion of the preferences for recycled oil
27 products in publications used to solicit bids from suppliers.
- 28 b. The provision of a description of the recycled oil
29 procurement program at bidders' conferences.
- 30 c. Discussion of the preference program in lubricating oil
31 and industrial oil procurement solicitations or invitations to
32 bid.
- 33 d. Efforts to inform industry trade associations about the
34 preference program.
- 35 Sec. 2. Section 262.9, subsection 5, Code Supplement 1991,

1 is amended to read as follows:

2 5. In conjunction with the recommendations made by the
3 department of natural resources, purchase and use recycled
4 printing and writing paper, with the exception of specialized
5 paper when no recyclable product is available, in accordance
6 with the schedule established in section 18.18; establish a
7 wastepaper recycling program by January 1, 1990, for all
8 institutions governed by the board in accordance with
9 recommendations made by the department of natural resources
10 and the requirements of section 18.20; comply with, and the
11 institutions governed by the board shall also comply with the
12 recycling goal, recycling schedule, and ultimate termination
13 of purchase and use of polystyrene products for the purpose of
14 storing, packaging, or serving food for immediate consumption
15 pursuant to section 455D.16; and shall, in accordance with the
16 requirements of section 18.6, require product content
17 statements, the provision of information regarding on-site
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21 requirements for the purchase of lubricating oils and
22 industrial oils as established pursuant to section 18.22.

23 Sec. 3. Section 307.21, subsection 4, paragraph b, Code
24 Supplement 1991, is amended by adding the following new
25 subparagraph:

26 NEW SUBPARAGRAPH. (5) Comply with the requirements for
27 the purchase of lubricating oils and industrial oils as
28 established pursuant to section 18.22.

29 Sec. 4. Section 601L.3, Code Supplement 1991, is amended
30 by adding the following new subsection:

31 NEW SUBSECTION. 16. Comply with the requirements for the
32 purchase of lubricating oils and industrial oils as
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34 EXPLANATION

35 This bill requires the department of general services, the

1 state board of regents, the state department of
2 transportation, and the department for the blind to revise
3 their procedures and specifications for the purchase of
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HOUSE FILE 2275

AN ACT

RELATING TO THE ESTABLISHMENT OF A PREFERENCE FOR THE PURCHASE OF RECYCLED LUBRICATING AND INDUSTRIAL OILS BY THE DEPARTMENT OF GENERAL SERVICES, THE STATE BOARD OF REGENTS, THE STATE DEPARTMENT OF TRANSPORTATION, AND THE DEPARTMENT FOR THE BLIND.

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

Section 1. NEW SECTION. 18.22 LUBRICATION OIL AND INDUSTRIAL OIL PURCHASES.

The department shall do all of the following:

1. Revise its procedures and specifications for the purchase of lubricating oil and industrial oil to eliminate exclusion of recycled oils and any requirement that oils be manufactured from virgin materials.
2. Require that purchases of lubricating oil and industrial oil be made from the seller whose oil product contains the greatest percentage of recycled oil, unless one of the following circumstances regarding a specific oil product containing recycled oil exists:
 - a. The product is not available within a reasonable period of time or in quantities necessary or in container sizes appropriate to meet a state agency's needs.
 - b. The product does not meet the performance requirements or standards recommended by the equipment or vehicle manufacturer, including any warranty requirements.
 - c. The product is available only at a cost greater than one hundred five percent of the cost of comparable virgin oil products.
3. Establish and maintain a preference program for procuring oils containing the maximum content of recycled oil. The preference program shall include but is not limited to all

of the following:

- a. The inclusion of the preferences for recycled oil products in publications used to solicit bids from suppliers.
- b. The provision of a description of the recycled oil procurement program at bidders' conferences.
- c. Discussion of the preference program in lubricating oil and industrial oil procurement solicitations or invitations to bid.
- d. Efforts to inform industry trade associations about the preference program.

Sec. 2. Section 262.9, subsection 5, Code Supplement 1991, is amended to read as follows:

5. In conjunction with the recommendations made by the department of natural resources, purchase and use recycled printing and writing paper, with the exception of specialized paper when no recyclable product is available, in accordance with the schedule established in section 18.18; establish a wastepaper recycling program by January 1, 1990, for all institutions governed by the board in accordance with recommendations made by the department of natural resources and the requirements of section 18.20; comply with, and the institutions governed by the board shall also comply with the recycling goal, recycling schedule, and ultimate termination of purchase and use of polystyrene products for the purpose of storing, packaging, or serving food for immediate consumption pursuant to section 455D.16; and shall, in accordance with the requirements of section 18.6, require product content statements, the provision of information regarding on-site review of waste management in product bidding and contract procedures, and compliance with requirements regarding procurement specifications; and shall comply with the requirements for the purchase of lubricating oils and industrial oils as established pursuant to section 18.22.

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subparagraph:

NEW SUBPARAGRAPH. (5) Comply with the requirements for the purchase of lubricating oils and industrial oils as established pursuant to section 18.22.

Sec. 4. Section 601L.3, Code Supplement 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 16. Comply with the requirements for the purchase of lubricating oils and industrial oils as established pursuant to section 18.22.

ROBERT C. ARNOULD
Speaker of the House

MICHAEL E. GRONSTAL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2275, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 15, 1992

TERRY E. BRANSTAD
Governor