

MAR 8 1995

Place On Calendar

*Substituted by
SF 247
4-6-95
(P.1364)*

WITHDRAWN

HOUSE FILE 287
BY COMMITTEE ON ENVIRONMENTAL
PROTECTION

(SUCCESSOR TO HSB 85)

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

A BILL FOR

1 An Act relating to plastic garbage can liners with recycled
2 content.

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

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HF 287

WITHDRAWN

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

3 18.18 STATE PURCHASES -- RECYCLED PRODUCTS -- STARCH-BASED
4 PLASTICS-AND SOYBEAN-BASED INKS.

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

15 a. By July 1, ~~1989,~~ a minimum of fifty 1991, one hundred
16 percent of the purchases of inks which are used for newsprint
17 printing services performed internally or contracted for by
18 the department of ~~general-services~~ shall be soybean-based.
19 ~~The percentage of purchases by the department of soybean-based~~
20 ~~inks used for newsprint printing services shall increase by~~
21 ~~July 1, 1991, to one hundred percent of the total purchases of~~
22 ~~inks used for newsprint printing services.~~

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

34 c. By ~~July 1, 1989,~~ a minimum of fifteen percent of the
35 purchases of garbage can liners made by the department of

1 ~~general services shall be starch-based plastic garbage can~~
2 ~~liners. The percentage purchased shall increase by five~~
3 ~~percent annually until fifty percent of the purchases of~~
4 ~~garbage can liners are purchases of starch-based plastic~~
5 ~~garbage can liners. By July 1, 1995, a minimum of ten percent~~
6 ~~of the purchases of garbage can liners made by the department~~
7 ~~shall be plastic garbage can liners with recycled content.~~
8 ~~The percentage shall increase by ten percent annually until~~
9 ~~fifty percent of the purchases of garbage can liners are~~
10 ~~plastic garbage can liners with recycled content.~~

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

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

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

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

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

35 (1) "Recycled paper" means a paper product with not less

1 than fifty percent of its total weight consisting of secondary
2 and postconsumer material. At least ten percent of the total
3 weight of recycled paper shall be postconsumer materials.

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

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

15 b. The department, in conjunction with recommendations
16 made by the department of natural resources, shall purchase
17 and use recycled printing and writing paper so that ~~twenty-~~
18 ~~five-percent-by-January-17-1990~~ fifty percent by January 1,
19 1992, seventy-five percent by January 1, 1996, and ninety
20 percent by January 1, 2000, of the volume of printing and
21 writing paper purchased is recycled paper.

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

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

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

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

6 g. Notwithstanding the requirements of this subsection
7 regarding the purchase of recycled paper, the department shall
8 purchase acid-free permanent paper in the amount necessary for
9 the production or reproduction of documents, papers, or
10 similar materials produced or reproduced for permanent
11 preservation pursuant to law.

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

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

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

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

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

35 8. The department ~~of-general-services~~, by January 1, 1993,

1 shall seek an agreement with the agencies of the states of
2 Minnesota and Wisconsin authorized to purchase general use
3 items for state agencies, to provide for the cooperative
4 purchase of recycled products.

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

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

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

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

34 b. By July 1, ~~1989, a minimum of fifteen percent of the~~
35 ~~purchases of garbage can liners made by the commission shall~~

1 ~~be starch-based plastic garbage can liners. The percentage~~
2 ~~purchased shall increase by five percent annually until fifty~~
3 ~~percent of the purchases of garbage can liners are purchases~~
4 ~~of starch-based plastic garbage can liners. By July 1, 1995,~~
5 a minimum of ten percent of the purchases of garbage can
6 liners made by the commission shall be plastic garbage can
7 liners with recycled content. The percentage purchased shall
8 increase by ten percent annually until fifty percent of the
9 purchases of garbage can liners are plastic garbage can liners
10 with recycled content.

11 c. By July 1, ~~1991, a minimum of twenty-five~~ 1993, one
12 hundred percent of the purchases of inks, other than inks
13 which are used for newsprint printing services, and which are
14 used internally or contracted for by the commission, shall be
15 soybean-based to the extent formulations for such inks are
16 available. ~~The percentage of purchases by the commission of~~
17 ~~the soybean-based inks, to the extent formulations for such~~
18 ~~inks are available, shall increase by July 1, 1992, to fifty~~
19 ~~percent of the total purchases of the inks, and shall increase~~
20 ~~by July 1, 1993, to one hundred percent of the total purchases~~
21 ~~of the inks.~~

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

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

30 (2) Information relating to soybean-based inks and starch-
31 based plastic garbage can liners with recycled content
32 regularly purchased by the commission. ~~The report shall~~
33 ~~include, including~~ the cost of purchasing soybean-based inks
34 and starch-based plastic garbage can liners, with recycled
35 content and the percentage of inks purchased which are

1 ~~soybean-based-and-the-percentage-of-liners-purchased-which-are~~
2 ~~starch-based~~ percentages of soybean-based inks and plastic
3 garbage can liners with recycled content that have been
4 purchased.

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

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

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

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

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

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

34 a. All inks purchased that are used internally or
35 contracted for by the board shall be soybean-based to the

1 extent formulations for such inks are available.

2 b. ~~By July 1, 1989, a minimum of fifteen percent of the~~
3 ~~purchases of garbage can liners made by the board shall be~~
4 ~~starch-based plastic garbage can liners. The percentage~~
5 ~~purchased shall increase by five percent annually until fifty~~
6 ~~percent of the purchases of garbage can liners are purchases~~
7 ~~of starch-based plastic garbage can liners. By July 1, 1995,~~
8 a minimum of ten percent of the purchases of garbage can
9 liners made by the board shall be plastic garbage can liners
10 with recycled content. The percentage shall increase by ten
11 percent annually until fifty percent of the purchases of
12 garbage can liners are plastic garbage can liners with
13 recycled content.

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

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

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

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

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

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

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

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

13 a. Provide centralized purchasing services for the
14 department, in co-operation with the department of general
15 services. The administrator shall, when the price is
16 reasonably competitive and the quality as intended, purchase
17 soybean-based inks and ~~starch-based-plastics~~ plastic products
18 with recycled content, including but not limited to ~~starch-~~
19 based plastic garbage can liners, and shall purchase these
20 items in accordance with the schedule established in section
21 18.18. However, the administrator need not purchase garbage
22 can liners in accordance with the schedule if the liners are
23 utilized by a facility approved by the environmental
24 protection commission created under section 455A.6, for
25 purposes of recycling. For purposes of this subsection,
26 "recycled content" means that the content of the product
27 contains a minimum of thirty percent postconsumer material.

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

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

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

11

EXPLANATION

12 This bill removes a requirement that state agencies,
13 including the state board of regents, purchase a minimum
14 percentage of starch-based garbage can liners and instead
15 requires that by July 1, 1995, a minimum of 10 percent of the
16 purchases of garbage can liners shall be plastic garbage can
17 liners with recycled content. The percentage required to be
18 purchased increases by 10 percent annually until 50 percent of
19 the purchases of garbage can liners are plastic garbage can
20 liners with recycled content. The bill defines "recycled
21 content" to mean that a minimum of 30 percent of the content
22 of the product consists of postconsumer material. The bill
23 amends provisions which direct the department of general
24 services, the department for the blind, the state board of
25 regents, and the state department of transportation to comply
26 with the directive.

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HSB 85

ENVIRONMENTAL PROTECTION

SENATE/HOUSE FILE 287
BY (PROPOSED DEPARTMENT OF
NATURAL RESOURCES BILL)

*Meyer - Chr.
Thomson
Shoultz*

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

A BILL FOR

1 An Act relating to plastic garbage can liners with recycled
2 content.

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

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

3 18.18 STATE PURCHASES -- RECYCLED PRODUCTS -- STARCH-BASED
4 PLASTICS-AND SOYBEAN-BASED INKS.

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

15 a. By July 1, ~~1989~~, a-minimum-of-fifty 1991, one hundred
16 percent of the purchases of inks which are used for newsprint
17 printing services performed internally or contracted for by
18 the department of-general-services shall be soybean-based.
19 ~~The-percentage-of-purchases-by-the-department-of-soybean-based~~
20 ~~inks-used-for-newsprint-printing-services-shall-increase-by~~
21 ~~July-17-1991, to one hundred percent of the total purchases of~~
22 ~~inks-used-for-newsprint-printing-services.~~

23 b. By July 1, ~~1991~~, a-minimum-of-twenty-five 1993, one
24 hundred percent of the purchases of inks, other than inks
25 which are used for newsprint printing services, and which are
26 used internally or contracted for by the department of-general
27 services, shall be soybean-based to the extent formulations
28 for such inks are available. ~~The-percentage-of-purchases-by~~
29 ~~the-department-of-the-soybean-based-inks, to the extent~~
30 ~~formulations-for-such-inks-are-available, shall increase by~~
31 ~~July-17-1992, to fifty percent of the total purchases of the~~
32 ~~inks, and shall increase by July-17-1993, to one hundred~~
33 ~~percent of the total purchases of the inks.~~

34 c. By ~~July-17-1989~~, a-minimum-of-fifteen-percent-of-the
35 purchases-of-garbage-can-liners-made-by-the-department-of

1 ~~general services shall be starch-based plastic garbage can~~
2 ~~liners. The percentage purchased shall increase by five~~
3 ~~percent annually until fifty percent of the purchases of~~
4 ~~garbage can liners are purchases of starch-based plastic~~
5 ~~garbage can liners. By July 1, 1995, a minimum of ten percent~~
6 of the purchases of garbage can liners made by the department
7 shall be plastic garbage can liners with recycled content.
8 The percentage shall increase by ten percent annually until
9 fifty percent of the purchases of garbage can liners are
10 plastic garbage can liners with recycled content.

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

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

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

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

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

35 (1) "Recycled paper" means a paper product with not less

1 than fifty percent of its total weight consisting of secondary
2 and postconsumer material. At least ten percent of the total
3 weight of recycled paper shall be postconsumer materials.

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

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

15 b. The department, in conjunction with recommendations
16 made by the department of natural resources, shall purchase
17 and use recycled printing and writing paper so that ~~twenty-~~
18 ~~five-percent-by-January-17-1990,~~ fifty percent by January 1,
19 1992, seventy-five percent by January 1, 1996, and ninety
20 percent by January 1, 2000, of the volume of printing and
21 writing paper purchased is recycled paper.

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

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

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

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

6 g. Notwithstanding the requirements of this subsection
7 regarding the purchase of recycled paper, the department shall
8 purchase acid-free permanent paper in the amount necessary for
9 the production or reproduction of documents, papers, or
10 similar materials produced or reproduced for permanent
11 preservation pursuant to law.

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

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

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

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

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

35 8. The department of ~~general-services~~, by January 1, 1993,

1 shall seek an agreement with the agencies of the states of
2 Minnesota and Wisconsin authorized to purchase general use
3 items for state agencies, to provide for the cooperative
4 purchase of recycled products.

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

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

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

26 a. By July 1, ~~1989~~, a minimum of fifty 1991, one hundred
27 percent of the purchases of inks which are used for newsprint
28 paper for printing services performed internally or contracted
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34 b. ~~By July 1, 1989, a minimum of fifteen percent of the~~
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9 purchases of garbage can liners are plastic garbage can liners
10 with recycled content.

11 c. ~~By July 1, 1991, a minimum of twenty-five~~ 1993, one
12 hundred percent of the purchases of inks, other than inks
13 which are used for newsprint printing services, and which are
14 used internally or contracted for by the commission, shall be
15 soybean-based to the extent formulations for such inks are
16 available. ~~The percentage of purchases by the commission of~~
17 ~~the soybean-based inks, to the extent formulations for such~~
18 ~~inks are available, shall increase by July 1, 1992, to fifty~~
19 ~~percent of the total purchases of the inks, and shall increase~~
20 ~~by July 1, 1993, to one hundred percent of the total purchases~~
21 ~~of the inks.~~

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

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

30 (2) Information relating to soybean-based inks and starch-
31 based plastic garbage can liners with recycled content
32 regularly purchased by the commission. ~~The report shall~~
33 ~~include, including~~ the cost of purchasing soybean-based inks
34 and starch-based plastic garbage can liners, with recycled
35 content and the percentage of inks purchased which are

1 soybean-based-and-the-percentage-of-liners-purchased-which-are
2 starch-based percentages of soybean-based inks and plastic
3 garbage can liners with recycled content that have been
4 purchased.

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

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

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

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

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

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

34 a. All inks purchased that are used internally or
35 contracted for by the board shall be soybean-based to the

1 extent formulations for such inks are available.

2 b. ~~By July 1, 1989, a minimum of fifteen percent of the~~
3 ~~purchases of garbage can liners made by the board shall be~~
4 ~~starch-based plastic garbage can liners. The percentage~~
5 ~~purchased shall increase by five percent annually until fifty~~
6 ~~percent of the purchases of garbage can liners are purchases~~
7 ~~of starch-based plastic garbage can liners. By July 1, 1995,~~
8 a minimum of ten percent of the purchases of garbage can
9 liners made by the board shall be plastic garbage can liners
10 with recycled content. The percentage shall increase by ten
11 percent annually until fifty percent of the purchases of
12 garbage can liners are plastic garbage can liners with
13 recycled content.

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

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

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

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

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

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

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

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

13 a. Provide centralized purchasing services for the
14 department, in co-operation with the department of general
15 services. The administrator shall, when the price is
16 reasonably competitive and the quality as intended, purchase
17 soybean-based inks and starch-based-plastics plastic products
18 with recycled content, including but not limited to starch-
19 based plastic garbage can liners, and shall purchase these
20 items in accordance with the schedule established in section
21 18.18. However, the administrator need not purchase garbage
22 can liners in accordance with the schedule if the liners are
23 utilized by a facility approved by the environmental
24 protection commission created under section 455A.6, for
25 purposes of recycling. For purposes of this subsection,
26 "recycled content" means that the content of the product
27 contains a minimum of thirty percent postconsumer material.

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

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

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

11 EXPLANATION

12 This bill removes a requirement that state agencies,
13 including the state board of regents, purchase a minimum
14 percentage of starch-based garbage can liners and instead
15 requires that by July 1, 1995, a minimum of 10 percent of the
16 purchases of garbage can liners shall be plastic garbage can
17 liners with recycled content. The percentage required to be
18 purchased increases by 10 percent annually until 50 percent of
19 the purchases of garbage can liners are plastic garbage can
20 liners with recycled content. The bill defines "recycled
21 content" to mean that a minimum of 30 percent of the content
22 of the product consists of postconsumer material. The bill
23 amends provisions which direct the department of general
24 services, the department for the blind, the state board of
25 regents, and the state department of transportation to comply
26 with the directive.

27 BACKGROUND STATEMENT

28 SUBMITTED BY THE AGENCY

29 The mandate to buy starch-based plastics was introduced as
30 a measure to promote the use of starch-based plastics and
31 generate another value-added market for corn. In particular,
32 starch-based garbage bags were to be purchased by the state to
33 help create a market for the product. Since then, Iowa is the
34 only state that sets goals for procurement of starch-based
35 plastic garbage can liners. State agencies are forced to pay

1 a premium for these bags and must purchase a large minimum
2 order in order to comply with the law. Continued purchases
3 cannot be justified on economic or environmental grounds.
4 Recycled content has become a very common feature of products,
5 however, and given the need for markets for such products in
6 order to support the efforts to collect more recyclables, it
7 makes sense to require their use.

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