

Senate File 2335 - Introduced

SENATE FILE 2335
BY COMMITTEE ON HUMAN
RESOURCES

(SUCCESSOR TO SF 2241)

A BILL FOR

1 An Act relating to utilization of environmentally preferable
2 cleaning and maintenance products in school facilities and
3 state buildings.

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

1 Section 1. NEW SECTION. 135.23 Building cleaning and
2 maintenance — environmentally preferable cleaning products.

3 1. *Findings and intent.* The general assembly finds that
4 human beings are vulnerable to and may be severely affected by
5 exposure to chemicals, hazardous waste, and other environmental
6 hazards. The federal environmental protection agency estimates
7 that human exposure to indoor air pollutants can be two to five
8 times, and up to one hundred times, higher than outdoor levels.
9 Children, teachers, janitors, and other staff members spend a
10 significant amount of time inside school buildings. Likewise,
11 state employees and citizens of this state spend a significant
12 amount of time inside state buildings. These individuals
13 are continuously exposed to chemicals from cleaners, waxes,
14 deodorizers, and other maintenance products.

15 2. *Definitions.* As used in this section, unless the context
16 otherwise requires:

17 a. "*Environmentally preferable*" means cleaning and
18 maintenance products which meet the policy guidelines and
19 specifications established by the department by rule pursuant
20 to subsection 4.

21 b. "*State building*" means a public facility or building
22 owned by or leased by the state, or an agency or department of
23 the state.

24 3. *Use of environmentally preferable cleaning products.* All
25 school districts in this state, and state agencies utilizing
26 state buildings, are encouraged to voluntarily conform to
27 an environmentally preferable cleaning policy designed to
28 facilitate the purchase and use of environmentally preferable
29 cleaning products for purposes of public school and state
30 building cleaning and maintenance. The policy shall apply
31 to school districts and state agencies on a mandatory basis
32 beginning July 1, 2012, subject to the exemption provisions
33 contained in this subsection. School districts and state
34 agencies procuring supplies for schools and state buildings may
35 deplete their existing cleaning and maintenance supply stocks

1 and implement the new requirements in the procurement cycle
2 for the following year. On or after July 1, 2012, a school
3 district or state agency is exempt from the requirements of
4 this section if the school district or state agency submits
5 written documentation to the department on an annual basis that
6 adoption of the policy would result in a significant increase
7 in annual cleaning and maintenance product and supply costs.

8 4. *Policy guidelines and specifications.*

9 a. The department shall establish by rule and update on a
10 semiannual basis thereafter guidelines and specifications for
11 the use of environmentally preferable cleaning and maintenance
12 products in school and state buildings.

13 b. The department shall provide multiple avenues by which
14 cleaning and maintenance products, equipment, and supplies
15 may be determined to be environmentally preferable under the
16 guidelines and specifications.

17 (1) Manufacturers may submit documentation that products
18 have been tested and certified by a nationally recognized
19 organization which establishes environmental standards.

20 (2) Alternatively, manufacturers may submit an affidavit
21 stating that products meet the requirements of a nationally
22 recognized organization which establishes environmental
23 standards.

24 (3) Manufacturers may also submit an affidavit stating that
25 products have undergone a comparative life-cycle assessment
26 that was conducted in accordance with requirements established
27 by a nationally recognized organization which establishes
28 environmental standards.

29 c. The guidelines and specifications established pursuant
30 to this section shall not prohibit the use of disinfectants,
31 disinfecting cleaners, sanitizers, or any other antimicrobial
32 product regulated by the federal Insecticide, Fungicide,
33 and Rodenticide Act, 7 U.S.C. § 136 et seq., when necessary
34 to protect public health and provided that the use of these
35 products is in accordance with responsible cleaning procedure

1 requirements.

2 *d.* Guidelines and specifications shall be established
3 by rule after a review and evaluation of existing research
4 by the department, and shall be completed no later than one
5 hundred eighty days after the effective date of this Act. The
6 guidelines and specifications shall include implementation
7 practices, including inspection procedures and evaluation
8 criteria. The completed guidelines and specifications shall be
9 posted and updated on the department's internet site, and shall
10 additionally be distributed on an updated basis to each school
11 district.

12 **Sec. 2. STATE MANDATE FUNDING SPECIFIED.** In accordance
13 with section 25B.2, subsection 3, the state cost of requiring
14 compliance with any state mandate included in this Act shall be
15 paid by a public school district from state school foundation
16 aid received by the school district under section 257.16.
17 This specification of the payment of the state cost shall be
18 deemed to meet all of the state funding-related requirements of
19 section 25B.2, subsection 3, and no additional state funding
20 shall be necessary for the full implementation of this Act
21 by and enforcement of this Act against all affected school
22 districts.

23 **EXPLANATION**

24 This bill requires school districts and state agencies
25 to purchase and utilize environmentally preferable cleaning
26 products for purposes of cleaning and maintenance beginning
27 July 1, 2012. Prior to that date, the bill's provisions would
28 apply on a voluntary basis on the part of school districts and
29 state agencies.

30 The bill defines a "state building" as a public facility
31 or building owned or leased by the state, or an agency or
32 department of the state. The bill provides that a school
33 district or a state agency procuring supplies for a school
34 or state building may deplete its existing cleaning and
35 maintenance supply stocks and implement the new requirements

1 in the procurement cycle for the following year, and shall
2 be exempt from compliance if the school district or state
3 agency submits written documentation to the department of
4 public health on an annual basis that adoption of the policy
5 would result in a significant increase in annual cleaning and
6 maintenance product and supply costs.

7 The bill provides that the department shall establish by
8 rule and update a policy of guidelines and specifications for
9 the use of environmentally preferable cleaning products. The
10 department is instructed to provide multiple avenues by which
11 cleaning products may be determined to be environmentally
12 preferable, to include in the guidelines implementation
13 practices and inspection procedures, and to post on the
14 department's internet website and distribute to each school
15 updated copies of the policy.

16 The bill may include a state mandate as defined in Code
17 section 25B.3. The bill requires, with respect to public
18 school districts, that the state cost of any state mandate
19 included in the bill be paid by a school district from state
20 school foundation aid received by the district under Code
21 section 257.16. This specification is deemed to constitute
22 state compliance with any state mandate funding-related
23 requirements of Code section 25B.2. The inclusion of this
24 specification is intended to reinstate the requirement of
25 political subdivisions to comply with any state mandates
26 included in the bill.