

## CHAPTER 1082

### STATE PURCHASE OF BIODEGRADABLE HYDRAULIC FLUIDS

S.F. 2185

AN ACT providing for the purchase of biodegradable hydraulic fluids manufactured from soybeans by state agencies.

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

Section 1. Section 18.6, subsection 13, Code 1997, is amended to read as follows:

13. The director shall review and, where necessary, revise specifications used by state agencies to procure products in order to ensure that all of the following occur:

a. ~~The procurement of products containing recovered materials, including but not limited to lubricating oils, retread tires, building insulation materials, and recovered materials from waste tires to ensure that the specifications allow the procurement of items containing recovered materials. Specifications~~ The specifications shall be revised if they restrict the use of alternative materials, exclude recovered materials, or require performance standards which exclude ~~items~~ products containing recovered materials unless the agency seeking the ~~item~~ product can document that the use of recovered materials will hamper the intended use of the ~~item~~ product.

b. The procurement of biodegradable hydraulic fluids in accordance with the requirements of section 18.22.

Sec. 2. Section 18.22, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Provide that when purchasing hydraulic fluids, the department or a state agency authorized by the department to directly purchase hydraulic fluids shall give preference to purchasing biodegradable hydraulic fluids manufactured from soybeans.

The department or state agency purchasing the hydraulic fluid shall purchase biodegradable hydraulic fluid, if both of the following apply:

a. The purchase is within the purchasing budget of the department or a state agency.

b. The use of biodegradable hydraulic fluid in the equipment operated by the department or state agency is consistent with the manufacturer's specifications for the equipment.

c. The department shall provide for the implementation of requirements necessary in order to carry out this subsection by the department or state agency making the purchase, which shall include all of the following:

(1) Including the preference requirements in publications used to solicit bids for hydraulic fluids.

(2) Describing the preference requirements at bidders' conferences in which bids for the sale of hydraulic fluids are sought by the department or authorized state agency.

(3) Discussing the preference requirements in procurement solicitations or invitations to bid for hydraulic fluids.

(4) Informing industry trade associations about the preference requirements.

Sec. 3. Section 216B.3, subsection 17, Code 1997, is amended to read as follows:

17. Comply with the requirements for the purchase of lubricating oils, ~~and industrial oils,~~ and hydraulic fluids as established pursuant to section 18.22.

Sec. 4. NEW SECTION. 260C.19B PURCHASE OF BIODEGRADABLE HYDRAULIC FLUIDS.

Hydraulic fluids purchased by or used under the direction of the board of directors to provide services to a merged area shall be purchased in compliance with the preference requirements for purchasing biodegradable hydraulic fluids as provided pursuant to section 18.22.

Sec. 5. NEW SECTION. 262.25B PURCHASE OF BIODEGRADABLE HYDRAULIC FLUIDS.

The state board of regents and institutions under the control of the board purchasing hydraulic fluids shall give preference to purchasing biodegradable hydraulic fluids as provided in section 18.22.

Sec. 6. Section 307.21, subsection 4, paragraph b, subparagraph (4), Code 1997, is amended to read as follows:

(4) Comply with the requirements for the purchase of lubricating oils, ~~and~~ industrial oils, and hydraulic fluids as established pursuant to section 18.22.

Sec. 7. NEW SECTION. 904.312B PURCHASE OF BIODEGRADABLE HYDRAULIC FLUIDS.

The department when purchasing hydraulic fluids shall give preference to purchasing biodegradable hydraulic fluids as provided in section 18.22.

Approved April 13, 1998

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## CHAPTER 1083

### VALIDITY AND ENFORCEABILITY OF VETERANS ADVANCE DIRECTIVE DOCUMENTS

*S.F. 2186*

**AN ACT** relating to the validity and enforceability in Iowa of an advance directive document executed by a veteran of the armed forces.

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

Section 1. Section 144A.3, subsection 4, Code 1997, is amended to read as follows:

4. A declaration or similar document executed in another state or jurisdiction in compliance with the law of that state or jurisdiction shall be deemed valid and enforceable in this state, to the extent the declaration or similar document is consistent with the laws of this state. A declaration or similar document executed by a veteran of the armed forces which is in compliance with the federal department of veterans affairs advance directive requirements shall be deemed valid and enforceable.

Sec. 2. Section 144B.3, subsection 4, Code 1997, is amended to read as follows:

4. A durable power of attorney for health care or similar document executed in another state or jurisdiction in compliance with the law of that state or jurisdiction shall be deemed valid and enforceable in this state, to the extent the document is consistent with the laws of this state. A durable power of attorney or similar document executed by a veteran of the armed forces which is in compliance with the federal department of veterans affairs advance directive requirements shall be deemed valid and enforceable.

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