

HOUSE BILL REPORT

2SSB 5143

As Passed Legislature

Title: An act relating to recycling.

Brief Description: Increasing the procurement of recycled products.

Sponsor(s): Senate Committee on Ways & Means (originally sponsored by Senators Metcalf, Murray and Conner).

Brief History:

Reported by House Committee on:
Environmental Affairs, April 2, 1991, DPA;
Appropriations, April 8, 1991, DPA(ENA);
Passed House, April 18, 1991, 98-0;
Passed Legislature, 98-0.

**HOUSE COMMITTEE ON
ENVIRONMENTAL AFFAIRS**

Majority Report: *Do pass as amended.* Signed by 13 members: Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; D. Sommers; Sprenkle; and Van Luven.

Staff: Rick Anderson (786-7114).

**HOUSE COMMITTEE ON
APPROPRIATIONS**

Majority Report: *Do pass as amended by Committee on Environmental Affairs.* Signed by 23 members: Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Ebersole; Ferguson; Hine; Holland; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

Minority Report: *Do not pass.* Signed by 5 members: Representatives Silver, Ranking Minority Member; Fuhrman; Lisk; May; and McLean.

Staff: Karl Herzog (786-7271) and Rick Anderson (786-7114).

Background: State and local governments can stimulate markets for recyclable materials by purchasing products that contain recycled materials. State agencies purchase approximately \$1.5 billion dollars in goods and services annually. Thirty-one cities had supply expenditures of \$500,000 or more in 1989.

Federal law encourages the purchase of products containing recycled materials by requiring the Environmental Protection Agency to adopt procurement guidelines. Guidelines have been adopted for such materials as: paper products; used oil; fly ash used in construction materials; and for other materials. The guidelines apply to all federal agencies and to state and local governments purchasing products with federal money.

Current state law encourages the purchase of products containing recycled materials by requiring the Department of General Administration to consider the use of recovered materials when evaluating bids. The department has developed rules allowing a price preference for recycled products for the purpose of evaluating bids.

Summary of Bill: By July 1, 1992, General Administration must develop standards for products containing recycled materials for paper, paper products, compost, and latex paint. By July 1, 1993, it must develop standards for plastics, retread tires, remanufactured tires, lubricating oils, automotive batteries and building insulation materials. The standards are mandatory for state agencies, voluntary for local governments.

By January 1, 1993, each local government having supply expenditures of \$500,000 or more for fiscal year 1989 is required to review its procurement policies and to revise them to include products containing recycled materials. Such local governments must develop a procurement goal and a strategy for attaining the goal. Local governments are authorized to develop price preference policies for the purchase of products containing recycled materials.

The Department of General Administration must develop a state plan to increase purchases of products containing recycled materials. The plan must address plastic products, tires, motor oil, latex paint, and vehicle batteries. The plan must include certain specific goals for paper and landscaping products containing recycled material. By 1995, 60 percent of the paper purchased by state agencies must be made from recycled paper. By 1997, 60 percent of landscaping material purchased by state agencies must be made from compost. The plan is mandatory for state agencies, voluntary for local governments.

The department must develop a data base on information relating to products containing recycled materials and to vendors that supply such products. The department must provide technical assistance, including at least two workshops, to state agencies and local governments. The department must develop model procurement guidelines for local governments.

By January 1, 1995, 75 percent of the paper used by the state printer must contain recycled paper. After July 1, 1992 vendors must certify the amount of recycled content in a product.

By July 1, 1992, 25 percent of the Department of General Administration's purchases for landscaping materials must be from composted material increasing to 50 percent on or after July 1, 1994. Twenty-five percent of soil amendment purchases for state highways must contain composted material for the 1991-93 biennium, increasing to 50 percent for the 1993-95 biennium. Beginning July 1, 1992, 25 percent of soil amendment purchases for local roads must contain composted material. On and after July 1, 1994, 50 percent of soil amendment purchases for local roads must contain composted material.

The State Building Code Council must study and implement changes as necessary to encourage recycled materials in building construction.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately. However, the bill is null and void unless funded in the budget.

Testimony For: (Environmental Affairs): Procurement of products containing recycled materials can help to stimulate markets for recyclable materials and serve as a positive example for citizens and the private sector.

(Appropriations): None.

Testimony Against: (Environmental Affairs): None.

(Appropriations): None.

Witnesses: (Environmental Affairs): Greg Wright, Washington State Recycling Association (pro); Kathleen Collins, Association of Washington Cities (pro); Jan Glick and Mike Todd, Washington Citizens for Recycling (pro); Philip Morley, Morley & Associates (pro); Jan Gee, Washington Retail Association (pro); Paul Parker, Washington State

Association of Counties (pro); and Meredith Jennings,
Department of General Administration (pro).

(Appropriations): None.