

# FINAL BILL REPORT

## ESHB 1231

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C 198 L 96

Synopsis as Enacted

**Brief Description:** Promoting the recycled content of products and buildings.

**Sponsors:** By House Committee on Agriculture & Ecology (originally sponsored by Representatives Rust, Chandler, Valle, Cole, Mastin and Chopp).

**House Committee on Agriculture & Ecology**  
**Senate Committee on Ecology & Parks**

**Background:** In 1991, the Legislature enacted a measure to increase state and local government procurement of products made from recycled material.

State Agency Requirements:

The 1991 legislation directed the Department of General Administration to adopt recycled content standards for several types of products in order to stimulate markets for products with recycled content and to establish a leadership role for state agencies. The department was also required to prepare a mandatory plan for state agencies to increase their recycled content product purchases. The plan was to achieve a graduated increase in purchases of paper and compost. Other specified product categories were to be included in the plan.

The department was also required to develop a data base of product vendors and report to the Legislature on the cost of making the data base accessible to local governments and the private sector. The department was directed to provide technical assistance to state and local procurement officers, and to make available to local governments model procurement guidelines for recycled content products.

The State Printer was given specific percentage purchase requirements for paper, as was the Department of Transportation for compost.

Local Government Requirements:

Local governments having supply expenditures greater than \$500,000 in 1989 were directed to review their existing procurement policies and specifications with a goal of including recycled products. By 1994, these local governments were required to adopt a minimum purchasing goal for recycled products and to adopt a strategy to reach the goal.

Cities and counties that were required to plan were also required to purchase specified percentages of compost products.

Vendor Requirements:

Vendors were required to certify the percentage of recycled content in products sold to the state and to local governments, pursuant to the department rules adopted by May 1, 1992.

Implementation of 1991 Legislation:

Implementation of this legislation has not been well documented but is thought to be low. According to the department, two factors in particular have contributed to the less than expected implementation.

First, the biennial budget adopted in 1991 provided funding to the Department of General Administration for implementation of the legislation. The 1992 supplemental budget deleted the majority of the funding, and the department has been unable to provide technical assistance to local governments or to monitor local government implementation of the legislation.

Second, legislation enacted in 1993 allows state agencies to purchase materials, supplies, services, and equipment directly from vendors when the department is notified that an item may be purchased at lower cost than through the Department of General Administration. The Department of General Administration is unable to control the recycled content of materials purchased by state agencies.

EPA Recycled Content Standards:

Federal law and a presidential executive order require the Environmental Protection Agency (EPA) to establish recycled content standards which recommend that governmental agencies purchase goods containing recycled materials.

**Summary:** EPA recycled content standards are adopted by reference as the state standard for certain recycled content products. Panelboard and compost products are added to the list of recycled content products to which the standards apply. Compliance dates established in the 1991 legislation are extended one to five years, depending on the requirement. The recycled content goals for state agency paper and compost purchases are increased. The State Printer's recycled content paper purchases are to be 90 percent of paper purchases by 1999.

The mandatory state plan to be developed by the Department of General Administration is changed to a strategy. The sections of law requiring vendors to certify the recycled content of their products and the department to increase compost product purchases are repealed.

Specifications in state construction projects must include the use of recycled content products, whenever practicable. Material from demolition projects must be recycled or reused whenever practicable.

**Votes on Final Passage:**

House	93	3	
Senate	47	0	(Senate amended)
House	91	3	(House concurred)

**Effective:** June 6, 1996