
HOUSE BILL 1695

State of Washington

56th Legislature

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By Representatives Cooper, Linville, Regala, G. Chandler, Tokuda, Ogden and McIntire

Read first time 02/02/1999. Referred to Committee on State Government.

1 AN ACT Relating to recycled product procurement; amending RCW
2 43.19A.020, 43.19A.030, 43.19A.050, and 43.19A.070; and adding a new
3 section to chapter 43.19A RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.19A.020 and 1996 c 198 s 1 are each amended to read
6 as follows:

7 (1) The USEPA product standards, as now or hereafter amended, are
8 adopted as the minimum standards for the state of Washington. These
9 standards shall be implemented for at least the products listed in
10 ~~((a) and (b) of)~~ this subsection (1) by ~~((the dates indicated))~~ July
11 1, 1997, unless the ~~((director))~~ state procurement officer finds that
12 a different standard would significantly increase recycled product
13 availability or competition. The products include:

14 (a) ~~((By July 1, 1997:~~
15 ~~(i)))~~ Paper and paper products;
16 ~~((ii))~~ (b) Organic recovered materials; ~~((and~~
17 ~~(iii)))~~ (c) Latex paint products;
18 ~~((b) By July 1, 1997:~~

1 ~~(i)~~) (d) Products for lower value uses containing recycled
2 plastics;
3 ~~((ii))~~ (e) Retread and remanufactured tires;
4 ~~((iii))~~ (f) Lubricating oils;
5 ~~((iv))~~ (g) Automotive batteries;
6 ~~((v))~~ (h) Building insulation;
7 ~~((vi))~~ (i) Panelboard; and
8 ~~((vii))~~ (j) Compost products.

9 (2) The standards required by this section shall be applied to
10 recycled product purchasing by the department and other state agencies.
11 The standards may be adopted or applied by any other local government
12 in product procurement. The standards shall provide for exceptions
13 under appropriate circumstances to allow purchases of recycled products
14 that do not meet the minimum content requirements of the standards.

15 **Sec. 2.** RCW 43.19A.030 and 1998 c 245 s 57 are each amended to
16 read as follows:

17 (1) By January 1, ~~((1993))~~ 2001, each local government shall review
18 its existing procurement policies and specifications to determine
19 whether recycled products are intentionally or unintentionally
20 excluded. The policies and specifications shall be revised to include
21 such products unless a recycled content product does not meet an
22 established performance standard of the agency.

23 (2) By fiscal year ~~((1994))~~ 2002, each local government shall adopt
24 a minimum purchasing goal for recycled content as a percentage of the
25 total dollar value of supplies purchased. To assist in achieving this
26 goal each local government shall adopt a strategy by January 1,
27 ~~((1993))~~ 2001, and shall submit a description of the strategy to the
28 ~~((department))~~ state procurement officer. All public agencies shall
29 respond to requests for information from the ~~((department))~~ state
30 procurement officer for the purpose of its reporting requirements under
31 this section.

32 (3) Each local government shall designate a procurement officer who
33 shall serve as the primary contact with the department for compliance
34 with the requirements of this chapter.

35 (4) This section shall apply only to local governments with
36 expenditures for supplies exceeding five hundred thousand dollars for
37 fiscal year 1989. Expenditures for capital goods and for electricity,
38 water, or gas for resale shall not be considered a supply expenditure.

1 **Sec. 3.** RCW 43.19A.050 and 1996 c 198 s 2 are each amended to read
2 as follows:

3 The ((department)) state procurement officer shall prepare a
4 strategy to increase purchases of recycled-content products by the
5 department and all state agencies, including higher education
6 institutions. The strategy shall include purchases from public works
7 contracts. The strategy shall address the purchase of plastic
8 products, retread and remanufactured tires, motor vehicle lubricants,
9 latex paint, and lead acid batteries having recycled content. In
10 addition, the strategy shall incorporate actions to achieve the
11 following purchase level goals of recycled content paper and compost
12 products:

13 (1) Paper products as a percentage of the total dollar amount
14 purchased on an annual basis:

- 15 (a) At least sixty percent by 1996;
- 16 (b) At least seventy percent by 1997;
- 17 (c) At least eighty percent by 1998.

18 (2) Compost products as a percentage of the total dollar amount on
19 an annual basis:

- 20 (a) At least forty percent by 1996;
- 21 (b) At least sixty percent by 1997;
- 22 (c) At least eighty percent by 1998.

23 **Sec. 4.** RCW 43.19A.070 and 1991 c 297 s 9 are each amended to read
24 as follows:

25 (1) The department shall implement an education program to
26 encourage maximum procurement of recycled products by state and local
27 government entities. The program shall include at least the following:

28 (a) Technical assistance to all state and local governments and
29 their designated procurement officers on the requirements of this
30 chapter, including preparation of model purchase contracts, the
31 preparation of procurement plans, and the availability of recycled
32 products;

33 (b) Two or more workshops annually in which all state and local
34 government entities are invited;

35 (c) Information on intergovernmental agreements to facilitate
36 procurement of recycled products.

37 (2) The ((director)) state procurement officer shall, in
38 consultation with the department of ecology, make available to the

1 public, local jurisdictions, and the private sector, a comprehensive
2 list of substitutes for extremely hazardous, hazardous, toxic, and
3 nonrecyclable products, and disposable products intended for a single
4 use. The department and all state agencies exercising the purchasing
5 authorities of the department shall include the substitute products on
6 bid notifications, except where the department allows an exception
7 based upon product availability, price, suitability for intended use,
8 or similar reasons.

9 (3) The department shall prepare model procurement guidelines for
10 use by local governments.

11 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.19A RCW
12 to read as follows:

13 The director shall designate a state procurement officer who shall
14 monitor recycled product procurement by the department and state
15 agencies, as defined in RCW 43.19A.010. The responsibilities of this
16 officer include:

17 (1) Preparing a biennial report to the appropriate standing
18 committees of the legislature on the progress by local governments in
19 implementing this chapter, and the progress by state agencies in
20 recycled product purchasing. The first biennial report shall be made
21 on January 1, 2001. The requirement to make biennial reports under
22 this subsection expires July 1, 2011;

23 (2) Researching recycled products and recycled product performance.
24 This information shall be used to update the data base created in RCW
25 43.19A.060 on an annual basis; and

26 (3) Contacting local procurement officers and working with these
27 officers to review and revise local recycled product purchasing
28 standards and goals to meet or exceed those provided by law.

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