

SENATE BILL REPORT

SB 5343

As Reported By Senate Committee On:
Ecology & Parks, February 22, 1995

Title: An act relating to promoting the recycled content of products and buildings.

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

Sponsors: Senators Fairley, Swecker, Pelz, Fraser, Prentice, Kohl, Winsley and Franklin.

Brief History:

Committee Activity: Ecology & Parks: 2/2/95, 2/22/95 [DPS].

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: That Substitute Senate Bill No. 5343 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; C. Anderson, Vice Chair; McAuliffe, McDonald, Spanel and Swecker.

Staff: Gary Wilburn (786-7453)

Background: In 1991 the Legislature enacted a comprehensive measure to increase state and local government procurement of recycled content products. The Department of General Administration (GA) was directed to adopt recycled content standards for several types of products in order to guide state agency purchases of products. The department was to prepare a state plan for increasing recycled content product purchases. The plan was to achieve a gradually increasing percentage of paper purchases by 1995 and compost products by 1997. Other specified categories of products 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 to provide technical assistance to state and local procurement officers, and make available to local governments model procurement guidelines for recycled content products. Vendors were required to certify the percentage of recycled content in products sold to state and local governments, pursuant to department rules adopted by May 1, 1992.

The local governments with large expenditures for goods were directed to review their existing policies and specifications with a goal of including recycled products. By 1994 local governments were to adopt a minimum purchasing goal for recycled products. A strategy was to be adopted for reaching the goal, and the strategy was to be provided to the department.

The biennial budget adopted in 1991 provided funding to GA for implementation of the legislation. However, the 1992 supplemental budget deleted the majority of funding, and

the department has been unable to provide technical assistance to local governments, or to effectively monitor local government implementation of the legislation.

Since 1991 the price of recycled content paper has fallen and market availability increased. Markets for compost products have also strengthened.

Summary of Substitute Bill: The Department of General Administration is required to adopt recycled content standards for panelboard and compost. The compliance date for adoption of standards for other products listed in existing law is delayed from 1992 to 1996. The compliance dates for local government review of their procurement policies, to adopt a goal for purchasing of recycled content products, and for adoption of a strategy to achieve the goal, are delayed. The threshold of annual goods purchases for purposes of applying these requirements is lowered from \$500,000 to \$300,000, measured in 1994. The requirement in existing law that the department monitor local government compliance with these provisions is deleted.

The graduated increase in percentage of total state purchases for paper and for compost products are delayed two years, and the percentages are increased. The requirement in existing law to develop a mandatory state plan for increased purchases is modified to a state strategy. Other agencies are encouraged to consider the strategy in all purchases of products. The state's public printer must achieve 90 percent of the total dollar amount expended for printing paper stock as recycled content by 1998.

The dates to achieve targeted percentages of expenditures for compost products by the Department of Transportation is delayed four years. The requirement for vendor specification of recycled content in sales to state and local government is delayed from 1992 to 1996.

Whenever practicable and economically viable: (1) the use of recycled-content products and recyclable products are to be included in the design, development and specifications for state public works projects; and (2) waste material from construction or demolition is to be recycled or reused.

Substitute Bill Compared to Original Bill: Requirements of existing law regarding local government reports to GA, and GA tracking of local government implementation, are deleted. Provisions regarding GA and local government compost purchases are deleted. The mandatory state plan under existing law is changed to a state strategy. The price preference and bid discount provisions in the original bill relating to state construction projects and demolition contracts are deleted, and replaced by provisions requiring consideration of recycled-content product use and recycling of demolition debris, whenever practicable and economically viable.

Appropriation: None.

Fiscal Note: Requested on January 27, 1995.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill provides renewed emphasis to GA to implement the 1991 legislation and provide additional time to implement provisions for which funding was deleted.

Testimony Against: None.

Testified: Pandora Touart, Washington State Recycling Assn. (pro); Danielle Purnell, City of Seattle, Solid Waste Utility (pro); David Block, Marygrace Jennings, GA; Becky Bogard, Am. Forest & Paper Assn.; Elizabeth Schrag, Washington Citizens for Recycling; Suzanne Leger, Washington Organic Recycling Council.