

**CS FOR HOUSE BILL NO. 465 (RESOURCES)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE RESOURCES COMMITTEE**

**Offered: 3/9/92**

**Referred: State Affairs, Finance**

**Sponsor(s): REPRESENTATIVES ULMER, B.Davis, Brown, Koponen, Finkelstein**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to recycling and the management of solid waste by state agencies."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1. LEGISLATIVE FINDINGS AND PURPOSES. (a) The legislature finds that**

4 (1) a global economy is emerging in which otherwise unrelated countries and other  
5 governmental entities that are located in the same geographic region are forging cooperative  
6 arrangements that benefit their individual and common well-being;

7 (2) these cooperative arrangements are increasing the economic competitiveness of the  
8 participants, which increases the economic benefits and the overall quality of life for the citizens of the  
9 individual participants;

10 (3) the states of Alaska, Idaho, Montana, Oregon, and Washington, and the Canadian  
11 provinces of Alberta and British Columbia are in a strategic position to cooperate in adopting standards  
12 for the procurement of recycled products, and this cooperation would increase the overall market effect  
13 of the standards each state or province adopts.

14 (b) The purposes of this Act are to

1 (1) substantially increase the procurement of recycled products by state governmental  
2 agencies and to provide a model to encourage a comparable commitment by individual citizens and  
3 businesses of the state;

4 (2) direct government procurement policies and goals toward the procurement of those  
5 recycled products for which markets can be developed or that substantially affect the state's waste  
6 management problems; and

7 (3) establish recycled product procurement standards that can be used in procurement  
8 programs by all state government agencies and that are consistent with those of other states and  
9 provinces in the Pacific Northwest economic region of the United States and Canada.

10 \* Sec. 2. AS 36.30 is amended by adding a new section to read:

11 Sec. 36.30.075. PROCUREMENT RECYCLING PLANS. (a) The Department of  
12 Transportation and Public Facilities shall establish for itself, and the department shall establish  
13 for all state agencies other than the Department of Transportation and Public Facilities, a plan  
14 to increase the procurement of recycled products when an agency procures plastic products, motor  
15 vehicle lubricants, tires, latex paints, paper products, and compost products.

16 (b) The plans must include minimum procurement goals for procuring recycled products  
17 when procuring plastic products, motor vehicle lubricants, and latex paints. The goals must be  
18 expressed as a percentage of the annual total dollar amount expended by an agency to procure  
19 the particular product.

20 (c) The goals of the plans for the procurement of recycled products for paper products  
21 must be consistent with AS 36.30.095.

22 (d) The plans may not require the use of a recycled product for a motor vehicle lubricant  
23 if the recycled product

24 (1) is not available within a reasonable period of time or in quantities necessary  
25 to meet the needs of the procuring agency;

26 (2) does not meet the performance standards recommended by the manufacturer  
27 of the equipment or vehicle for which it will be used or the warranty requirements for the motor  
28 vehicle;

29 (3) is only available at a cost that is more than five percent greater than the cost  
30 of a comparable lubricant that is not a recycled product.

31 (e) When feasible, the plans must include a requirement that an agency shall use retread

1 tires for the nonsteering wheels of agency vehicles, except for emergency vehicles, including fire  
2 suppression and emergency assistance vehicles.

3 (f) The plans must include a requirement that agencies use reasonable efforts to eliminate  
4 the purchase of paper products that cannot be recycled.

5 (g) In this section,

6 (1) "plan" means a recycling plan established under (a) of this section;

7 (2) "recycled product," except for paper and tires, means a product in which at  
8 least 50 percent of the total weight consists of secondary waste materials and post-consumer  
9 waste materials and at least 10 percent of the total weight consists of post-consumer waste  
10 materials; "recycled product" as applied to paper has the meaning established by the Department  
11 of Administration; "recycled product" as applied to tires means retread tires; "recycled product,"  
12 except for paper and tires, includes a product that has completed its life cycle as a consumer  
13 item, but otherwise is refurbished for reuse without substantial alteration of the product's form;  
14 in this paragraph,

15 (A) "post-consumer waste materials" means finished materials that would  
16 normally be disposed of as solid waste, having completed their life cycles as consumer  
17 items;

18 (B) "secondary waste materials" means product fragments and finished  
19 products that have completed their life cycle as a consumer item and that are normally  
20 disposed of as solid waste; "secondary waste material" does not include excess virgin  
21 resources remaining after a manufacturing process;

22 (3) "retread tire" means a tire that uses an existing casing for the purpose of  
23 vulcanizing new tread to the casing, that meets the testing program of the United States General  
24 Services Administration, and that is listed on the Qualified Products List issued by the General  
25 Services Administration.

26 \* Sec. 3. AS 46.06 is amended by adding a new section to read:

27 Sec. 46.06.025. SOLID WASTE MANAGEMENT PLAN. (a) The department shall  
28 develop a statewide plan to manage the solid waste generated by state agencies. The plan must  
29 be consistent with AS 46.06.021. The initial plan must cover at least a 10-year period. When  
30 preparing the plan, the department shall consult with affected state agencies, local governments,  
31 and other appropriate entities.

1 (b) The plan must include an identification of the characteristics of the waste stream of  
2 recyclable materials generated by state agencies, including the nature, type, amount, use, and  
3 present destination of the recyclable materials. In this subsection, "recyclable materials" means  
4 materials that would otherwise be useless, unwanted, or discarded materials, except that the  
5 materials still have useful physical or chemical properties after serving a specific purpose and can  
6 be reused or recycled.

7 (c) The plan must include an evaluation of the nature, type, quality, and quantity of  
8 secondary waste materials generated by state agencies that can be used for trade in the state, in  
9 the northwestern states of the United States, and in the western provinces of Canada. In this  
10 subsection, "secondary waste materials" means product fragments and finished products that have  
11 completed their life cycle as a consumer item and that are normally disposed of as solid waste;  
12 "secondary waste material" does not include excess virgin resources remaining after a  
13 manufacturing process.

14 (d) The department shall update the plan every two years.

15 (e) The administrative director of the court system shall adopt a statewide solid waste  
16 management plan to be used by the court system. The plan must be consistent with (a) - (d) of  
17 this section.

18 (f) The legislative council shall adopt a statewide solid waste management plan to be  
19 used by the legislative branch. The plan must be consistent with (a) - (d) of this section.

20 (g) In this section,

21 (1) "plan" means a statewide solid waste management plan;

22 (2) "state agency" means a department, institution, board, commission, division,  
23 authority, public corporation, or other administrative unit of the executive branch of state  
24 government, but does not include the University of Alaska, the Alaska State Housing Authority,  
25 the Alaska Railroad Corporation, the Alaska Housing Finance Corporation, or the Alaska  
26 Aerospace Development Corporation.

27 \* Sec. 4. MARKET DEVELOPMENT REPORT. (a) On or before January 1, 1993, the  
28 commissioner of commerce and economic development shall submit a report to the legislature addressing  
29 what the state can do to encourage the development of in-state and out-of-state markets for recycled  
30 products.

31 (b) The report must include an analysis of the role procurement preferences can play in

1 encouraging recycling and expanding in-state and out-of-state markets for recycled products.

2 (c) The commissioner of commerce and economic development shall consult with the  
3 Department of Administration and the Department of Environmental Conservation when preparing the  
4 report.

5 \* Sec. 5. The Department of Administration and the Department of Transportation and Public  
6 Facilities shall adopt the initial minimum purchasing goals required by AS 36.30.075(b), enacted by  
7 sec. 2 of this Act, on or before July 1, 1993.