

Approved

Thomas F. Walker
Date 3-8-90

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Thomas F. Walker at
Chairperson

9:00 a.m./p.m. on Friday, March 2, 1990 in room 522-S of the Capitol.

All members were present except:

Representative Long - Excused

Committee staff present:

Avis Swartzman - Revisor
Carolyn Rampey - Legislative Research
Jackie Breymer - Committee Secretary

Conferees appearing before the committee:

Representative McClure

Chairman Walker called the meeting to order. Three sets of minutes had been distributed. He stated that at the end of the meeting if there were no corrections or additions, they would stand approved. Two additional sets of minutes will be distributed next week for approval. This will be the final meeting on House bills. The agenda for the day - final action on:

HB 2805 - state procurement practices

HB 2806 - concerning solid waste

HB 3029 - assistant rehabilitation administrators

HB 3029 - assistant rehabilitation administrators

There is no fiscal note because the fees generate the needed amount of money.

Representative Sughrue moved that HB 3029 be favorably reported for passage.
Representative Ramirez gave a second to the motion. The motion carried.

HB 2806 - concerning solid waste

A balloon was distributed. Line 23 - "The secretary of commerce shall provide to the coordinator such clerical and other staff as necessary to carry out the duties of the coordinator." (See Attachment 1)

Line 34 - insert: "Nothing in this subsection shall be construed to relieve the department of health and environment of its duty to provide technical information and assistance relating to solid waste management. (c) The position of statewide coordinator of waste reduction, recycling and market development shall be and is hereby abolished on July 1, 1995."

Representative McClure said this was an arbitrary date picked out by the Revisor.

The board shall consist of 11 members. The secretary of commerce comes off and department of health and environment is in the bill.

Representative Brown moved to amend the balloon by adding after one experienced in solid waste processing or disposal facilities, 'one representing environmental groups'. Representative D. Miller gave a second to the motion.
The motion carried.

Representative Bowden moved to adopt the balloon as amended.

Representative Borum gave a second to the motion.

The motion carried.

Representative McClure moved to pass HB 2806 favorably as amended.

Representative Sughrue gave a second to the motion. The motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

room 522-S, Statehouse, at 9:00 a.m./p.m. on Friday, March 2, 1990

HB 2805 - state procurement practices
amending K.S.A. 75-3740 and repealing the existing section
Representative McClure distributed a balloon of the bill. (Attachment 2)
The balloon dealt with page 2 of the bill. Subsections (b) and (c)
are reversed.

Regarding paper containing not less than 50% waste paper by weight, FY 91
and FY 92, an amount equal to not less than 10% of the total amount of
newsprint and high grade bleached printing and writing paper purchased
by the state during the immediately preceding fiscal year;
FY 93 and FY 94 this amount goes to 30% and after FY 95, 50%. The probable
dollar amount is \$68,000, \$200,000 and \$300,000. If bids received from two or
more lowest bidders are identical, it will go to bidder with highest % recyclable
paper.
Representative McClure was asked if the intent of this bill was to go beyond
the recycling of paper products. From what K.S.A. 75-3740 is saying, this
would apply to all kinds of purchases besides paper. Soda pop was used as
an example. Perhaps something should be stated 'for material addressed in
section 1 of this bill'; tie 2 and 3 in some manner to section 1.

Representative D. Miller made a conceptual motion to tie the bill to paper.
Representative Graeber gave a second to the motion. The motion carried.

Representative McClure moved to pass the balloon as amended. Representative
Sughrue gave a second to the motion. The motion carried.

Representative McClure moved to pass HB 2805 favorably as amended.
Representative Graeber gave a second to the motion. The motion carried.

Chairman Walker thanked the committee for a good first half on House bills.
After a short break, the committee will consider Senate bills.

The meeting was adjourned.

HOUSE BILL No. 2806

By Representatives Adam, Brady, Lane, McClure,
Pottorff and Williams

2-2

10 AN ACT concerning solid waste; creating the position of statewide
11 coordinator of waste reduction, recycling and market development
12 and the commission on waste reduction, recycling and market
13 development.
14

15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. (a) There is hereby established in the department of
17 commerce the position of statewide coordinator of waste reduction,
18 recycling and market development. The coordinator shall be ap-
19 pointed by the secretary of commerce. The coordinator shall be in
20 the unclassified service of the Kansas civil service act and shall
21 receive an annual salary fixed by the secretary of commerce with
22 the approval of the governor.

23 (b) The duty of the statewide coordinator of waste reduction,
24 recycling and market development shall be to promote actively the
25 development of markets for recycled products by working with in-
26 dustry and public entities to maximize current markets and explore
27 the possibilities of new markets. In addition, the statewide coordi-
28 nator shall:

29 (1) Act as a statewide clearinghouse of information regarding
30 waste reduction, recycling and recycling markets; and

31 (2) provide information to individuals, local governments or other
32 entities wishing to establish and implement waste reduction and
33 recycling programs.

34 Sec. 2. (a) There is hereby established the commission on waste
35 reduction, recycling and market development, which shall consist of
36 ~~15~~ members as follows:

37 (1) Five members appointed by the governor, one representing
38 counties, two experienced in solid waste processing or disposal fa-
39 cilities, one representing businesses and industries using recycled
40 materials and one representing other businesses and industries;

41 (2) ~~two members~~ appointed by the speaker of the house of rep-
representatives, ~~one member~~ representing consumers;

(3) ~~two members~~ appointed by the minority leader of the senate,

The secretary of commerce shall provide to the coordinator such clerical and other staff as necessary to carry out the duties of the coordinator.

Nothing in this subsection shall be construed to relieve the department of health and environment of its duty to provide technical information and assistance relating to solid waste management.

(c) The position of statewide coordinator of waste reduction, recycling and market development shall be and is hereby abolished on July 1, 1995.

Attachment 1
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11

one member

one member

1-2

- 1 ~~one who is a legislator and one~~ representing consumers; one member
- 2 (4) ~~two members~~ appointed by the president of the senate, ~~one~~
- 3 ~~who is a legislator and one~~ representing consumers; one member
- 4 (5) ~~two members~~ appointed by the minority leader of the house,
- 5 ~~one who is a legislator and one~~ representing environmental groups; health and environment
- 6 (6) the secretary of ~~commerce~~ or the secretary's designee; and.
- 7 (7) the statewide coordinator of waste reduction, recycling and
- 8 market development.

9 (b) Vacancies on the commission shall be filled for the unexpired
 10 term in the same manner as the original appointment.

11 (c) The commission shall meet at least monthly.

12 The governor shall designate one member of the commission to
 13 serve as chairperson of the commission. The commission may elect
 14 such other officers as it determines necessary.

15 ~~Legislators appointed commission members or officers shall be non-~~
 16 ~~voting members.~~

17 Members of the commission shall receive amounts provided for
 18 in subsection (e) of K.S.A. 75-3223 and amendments thereto, upon
 19 vouchers approved by the chairperson of the task force or a person
 20 designated by the chairperson.

21 (d) The commission shall evaluate and recommend specific actions
 22 which the governor and the legislature may take to:

- 23 (1) Reduce the volume of solid waste generated in the state and
- 24 to expand markets for recyclable materials;
- 25 (2) develop markets for recycled and recyclable products;
- 26 (3) encourage and assist local units of government that wish to
- 27 establish and implement waste reduction and recycling programs;
- 28 (4) change state procurement practices to promote recycling; and
- 29 (5) create opportunities for recycling enterprises.

30 (e) The commission shall make a report to the governor and the
 31 legislature on or before the first day of the regular legislative session
 32 in 1991. Such report shall include a report on progress in reduction
 33 of waste and development of markets for recycled materials and
 34 specific recommendations to the governor and legislature. The com-
 35 mission shall make its final report and recommendations to the gov-
 36 ernor and legislature on or before the first day of the regular
 37 legislative session in 1992.

38 (f) The staff of the office of the revisor of statutes, the legislative
 39 research department and the division of legislative administrative
 40 services shall provide such assistance as may be requested by the
 41 commission and authorized by the legislative coordinating council.

42 (g) For the purposes of this act and within the limits of appro-
 43 priations and resources available therefor, all agencies and officers

AN ACT concerning state procurement practices; relating to products made from recycled materials and recyclable materials.

; amending K.S.A. 75-3740 and repealing the existing section

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) As used in this section:

(1) "Newsprint," "printing paper" and "writing paper" have the meanings provided by 40 CFR 250.4 (53 Fed. Reg. 23562-23563).

(2) "Waste paper" means waste paper, as defined by 40 CFR 250.4 (53 Fed. Reg. 23562-23563), containing not less than 10% postconsumer material by weight.

Insert attached page

~~(b) In determining the lowest responsible bidder for any purchase of newsprint or high grade bleached printing or writing paper, the director of purchases of the department of administration, or any other state officer or employee authorized to make purchases directly for a state agency, shall give a price preference not to exceed 20% to any bidder whose bid is for newsprint or high grade bleached printing or writing paper containing not less than 50% waste paper by weight.~~ (c)

unless the requirements of subsection (b) have been met

~~(c) Subject to the provisions of subsection (b), of the total dollar amount of newsprint or high grade bleached printing or writing paper purchased by the state:~~

~~(1) On and after July 1, 1991, and before July 1, 1993, not less than 10% be spent on newsprint or high grade bleached printing or writing paper containing not less than 50% waste paper by weight;~~

~~(2) on and after July 1, 1993, and before July 1, 1995, not less than 30% shall be spent on such newsprint or paper; and~~

~~(3) on and after July 1, 1995, not less than 50% shall be spent on such newsprint or paper.]~~ (d)

The director of accounts and reports and the director of purchases of the department of administration, and any other state officer or employee authorized to make purchases directly for a state agency, shall cooperate to implement the provisions of this section.

(e) Annually, on or before the first day of the regular legislative session, the director of the division of purchases of the department of administration shall submit to the legislature a report on progress in implementing the provisions of this section.

New Sec. 2. The director of purchases of the department of administration shall review all state procurement practices and spec-

*Attachments
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(b) Subject to the provisions of subsection (c), the state shall spend on newsprint or high grade bleached printing or writing paper containing not less than 50% waste paper by weight, if sufficient amounts of such paper are available:

(1) For the fiscal years beginning July 1, 1991, and July 1, 1992, an amount equal to not less than 10% of the total dollar amount of newsprint and high grade bleached printing and writing paper purchased by the state during the immediately preceding fiscal year;

(2) for the fiscal years beginning July 1, 1993, and July 1, 1994, an amount equal to not less than 30% of the total dollar amount of newsprint and high grade bleached printing and writing paper purchased by the state during the immediately preceding fiscal year; and

(3) for fiscal years beginning on and after July 1, 1995, an amount equal to not less than 50% of the total dollar amount of newsprint and high grade bleached printing and writing paper purchased by the state during the immediately preceding fiscal year.