

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1634

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE RUZICKA.

5654L.01P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 34.032 and 260.255, RSMo, and to enact in lieu thereof one new section relating to the recycling of newspapers.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 34.032 and 260.255, RSMo, are repealed and one new section
2 enacted in lieu thereof, to be known as section 34.032, to read as follows:

34.032. 1. The provisions of section 34.040 to the contrary notwithstanding, each
2 department and agency of the state government, including the general assembly, shall purchase,
3 in the manner provided by law, and use recycled paper when recycled paper can be obtained that
4 is comparable to the quality presently used by the department or agency and if the price is
5 competitive. For the purposes of this section, "competitive" means a price within ten percent of
6 the price of items which are manufactured or produced from virgin materials. Attainment goals
7 for the percentage of paper products to be purchased that utilize post-consumer recovered
8 materials shall be:

9 (1) Ten percent in 1991 and 1992;

10 (2) Twenty-five percent in 1993 and 1994;

11 (3) Forty percent in 1995; and

12 (4) Sixty percent by 2000.

13 2. Each department and agency of state government shall also purchase a minimum of
14 fifteen percent recycled motor oil for use in motor vehicles.

15 3. Each department and agency of state government shall cause to be recycled:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 (1) A minimum of twenty-five percent of paper products used or fifty percent of the
17 paper disposed of, whichever is greater;

18 (2) Seventy-five percent of all used motor oil.

19 4. Each department and state agency shall, to the maximum extent practicable, separate
20 plastics, paper, metals and other recyclable items by July 1, 1990.

21 5. By January 1, 1990, each department and state agency shall develop, in cooperation
22 with the office of administration, and implement a policy for recycling and waste reduction.
23 Each department and agency shall collect and recycle waste paper and empty aluminum beverage
24 containers generated by employee activity. The office of the governor and the general assembly
25 shall implement a policy for recycling and waste reduction and shall collect and recycle waste
26 paper and aluminum beverage containers generated within its facilities. Recycling programs for
27 agency offices located outside of the city of Jefferson may be coordinated through the office of
28 administration or operated locally provided that the office of administration reviews and
29 approves such programs. Proceeds from the sale of recycled materials may be used to offset
30 costs of the recycling program. Any moneys found by the office of administration to be in excess
31 of costs incurred shall be transferred to the department of social services to be used by the
32 heating assistance program pursuant to sections 660.100 to 660.135.

33 6. The department of higher education, in cooperation with the office of administration
34 and state colleges and universities, shall develop and distribute guidelines for waste reduction
35 and the collection of recyclable materials generated in classrooms, administrative offices,
36 dormitories, cafeterias and similar campus locations.

37 7. Bid specifications for solid waste management services issued by any department or
38 agency of state government shall be designed to meet the objectives of sections [260.255]
39 **260.260** to 260.325, encourage small businesses to engage and compete in the delivery of waste
40 management services and to minimize the long run cost of managing solid waste. Bid
41 specifications shall enumerate the minimum components and minimum quantities of waste
42 products which shall be recycled by the successful bidder. Bids for solid waste management
43 services to state departments and agencies located within the seat of government shall be issued
44 in units in order to maximize opportunities for small business to provide solid waste
45 management services to the state. Each department and agency shall designate one person in an
46 existing position to serve as a solid waste management coordinator to ensure that the agency and
47 the office of administration cooperate to meet the requirements of this section.

2 [260.255. 1. After January 1, 1994, each newspaper publisher in this
3 state with an average daily distribution on days published of more than fifteen
4 thousand copies shall file a statement with the department of natural resources
5 certifying the total number of tons of newsprint used during the past calendar
year, and the average recycled content of such newsprint. The statement shall

6 declare whether the following target percentages have been met for the past year,
7 and if not met, shall contain a statement explaining why the newspaper publisher
8 failed to meet the target percentages.

9 2. The target recycled content usage for each newspaper publisher for
10 each year shall be:

11 (1) 1993, ten percent;

12 (2) 1994, twenty percent;

13 (3) 1995, thirty percent;

14 (4) 1996, forty percent;

15 (5) 2000, and subsequent years, fifty percent.

16 3. Any newspaper publisher who fails to file a statement with or seek a
17 waiver from the department, or who files a statement containing misleading or
18 deceptive information, shall be a violation of this section, punishable by a civil
19 fine of not more than one hundred dollars per day for each day the violation
20 continues. Penalties imposed under this section shall be deposited into the solid
21 waste management fund and shall be used to further the purposes of sections
22 260.200 to 260.345.]

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