



## Senate

General Assembly

**File No. 290**

February Session, 2000

Substitute Senate Bill No. 439

*Senate, March 29, 2000*

The Committee on Environment reported through SEN. DAILY of the 33<sup>rd</sup> Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### ***An Act Establishing A Policy For The State Purchase Of Environmentally Preferable Products.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (a) As used in this section, "environmentally  
2 preferable" means, with regard to products, services or practices, that  
3 they have a lesser or reduced negative effect on human health and the  
4 environment when compared to competing products, services or  
5 practices that serve the same function. In determining if a product is  
6 environmentally preferable, consideration may be given to raw  
7 materials acquisition, production, manufacturing, packaging,  
8 distribution, reuse, operation, maintenance or disposal of the product.  
9 "Environmentally preferable products" includes both recycled and  
10 recyclable products.

11 (b) Within available appropriations, the Department of  
12 Administrative Services shall establish procedures that promote, to the  
13 greatest extent feasible, the state-wide procurement and use of

14 recycled products and environmentally preferable products and  
15 services. The department shall: (1) Designate environmentally  
16 preferable products and establish minimum standards and  
17 specifications for their procurement and use; (2) when feasible, include  
18 the use of environmentally preferable products and services as a  
19 criteria in a multiple criteria bid or an evaluation factor in requests for  
20 proposals; and (3) consider the use of environmentally preferable  
21 business practices when reviewing the overall performance of a bidder  
22 or proposer's business operation.

23 (c) Within available appropriations, the department shall: (1)  
24 Develop and maintain information about environmentally preferable  
25 products and services and recycled products; (2) provide  
26 implementation assistance and information to agencies about the use  
27 of environmentally preferable products and services; and (3) monitor  
28 the use of environmentally preferable products and services and  
29 recycled products by state agencies.

30 Sec. 2. Section 4a-67d of the general statutes is repealed and the  
31 following is substituted in lieu thereof:

32 (a) Any car or light duty truck purchased by the state shall [have a  
33 manufacturer's estimated mileage rating as follows: On and after July  
34 1, 1993, at least twenty-nine miles per gallon highway gasoline mileage  
35 rating for cars and at least twenty-four miles per gallon highway  
36 gasoline mileage rating for light duty trucks; on and after January 1,  
37 1997, at least thirty-eight miles per gallon highway gasoline mileage  
38 rating for cars and at least thirty miles per gallon highway gasoline  
39 mileage rating for light duty trucks and on and after January 1, 2000, at  
40 least forty-five miles per gallon highway gasoline mileage rating for  
41 cars and at least thirty-five miles per gallon highway gasoline mileage  
42 rating for light duty trucks] (1) on and after October 1, 2000, have a  
43 United States Environmental Protection Agency estimated highway  
44 gasoline mileage rating of at least thirty miles per gallon and on and

45 after January 1, 2002, have a United States Environmental Protection  
46 Agency estimated highway gasoline mileage rating of at least thirty-  
47 five miles per gallon, and (2) comply with the requirements set forth in  
48 10 CFR 490 concerning the percentage of alternative fueled vehicles  
49 required in the state motor vehicle fleet. The alternative fueled vehicles  
50 purchased by the state to comply with said requirements shall be  
51 capable of operating on natural gas or electricity or any other system  
52 acceptable to the United States Department of Energy that operates on  
53 fuel that is available in the state.

54 (b) The provisions of subsection (a) of this section shall not apply to  
55 cars or light duty trucks purchased for law enforcement or other  
56 special use purposes as designated by the Department of  
57 Administrative Services or to cars or light duty trucks purchased by  
58 the state and intended for conversion into natural gas or electric-  
59 powered vehicles.

60 (c) As used in this section, the terms "car" and "light duty truck"  
61 shall be as defined in the United States Department of Energy  
62 Publication DOE/CE -0019/8, or any successor publication.

63 [(d) At least ten per cent of all cars and light duty trucks purchased  
64 by the state in calendar years 1993 and 1994 for purposes other than  
65 law enforcement or other special use purposes as designated by the  
66 Department of Administrative Services shall be powered by  
67 combustion of natural gas or electricity. The provisions of this  
68 subsection shall not apply during any period for which the  
69 Commissioner of Administrative Services provides a written  
70 certification to the Secretary of the Office of Policy and Management  
71 that a suitable natural gas refueling infrastructure is not available or is  
72 otherwise not feasible, or, in the case of electric-powered vehicles, that  
73 such vehicles are not available in sufficient numbers or at a reasonable  
74 cost provided any such certification shall be made quarterly and  
75 provided further the commissioner shall implement the provisions of

76 this subsection upon the earliest availability of such infrastructure.]

77 Sec. 3. Section 4a-67e of the general statutes is repealed and the  
78 following is substituted in lieu thereof:

79 [On and after August 1, 1994, all] All recycled xerographic or copy  
80 paper purchased by the state for use in state offices shall meet the  
81 applicable minimum recycled content standards established in federal  
82 Executive Order No. 12873, and any regulations or guidelines  
83 promulgated by the United States Environmental Protection Agency to  
84 carry out the purposes of said order, for purchase of paper by the  
85 federal government provided such paper shall have a composition  
86 such that at least [ten] thirty per cent of the fiber material used to  
87 produce such paper is derived from postconsumer recovered paper.  
88 Any recycled white paper used for state lottery tickets and tax return  
89 forms shall meet the standards provided therein for xerographic copy  
90 paper provided at least ten per cent of the fiber material used to  
91 produce such paper is derived from postconsumer recovered paper  
92 and further provided the recycled paper for lottery tickets meets  
93 lottery security requirements. On and after January 1, 1994, tax return  
94 booklets prepared by the Department of Revenue Services shall be  
95 printed on recycled paper which meets the minimum recycled content  
96 standards for white paper or newsprint, whichever is used in such  
97 booklets, established by the United States Environmental Protection  
98 Agency provided at least [ten] thirty per cent of the fiber material used  
99 to produce such white paper is derived from postconsumer recovered  
100 paper.

**ENV Committee Vote:** Yea 24 Nay 0 JFS

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

---

**OFA Fiscal Note**

**State Impact:** Minimal Cost and Future Year Savings

**Affected Agencies:** Department of Administrative Services,  
Department of Revenue Services

**Municipal Impact:** None

**Explanation**

**State Impact:**

The passage of this bill is anticipated to result in minimal additional costs to the state that could be absorbed within existing resources and could also result in savings in future years. The bill requires the Department of Administrative Services (DAS) to establish procedures that promote the state's use of environmentally preferable products. The bill requires that DAS do this within available appropriations. Currently, DAS has one person dedicated to this function who is funded by a grant from the Department of Environmental Protection through FY 01.

The bill requires that all recycled copy paper contain at least 30% postconsumer recovered paper. The current requirement is 10%. This would result in no additional costs to DAS because they are already purchasing paper that contains 30% postconsumer recovered paper. This could result in minimal costs to agencies that may still be purchasing 10% recycled paper. It also applies the same standard to

the tax return booklets prepared by the Department of Revenue Services (DRS). DRS estimates that the new requirement will cost about \$6,000 per year.

The bill also requires all cars and light duty trucks purchased by the state, on and after October 1, 2000 to have a highway mileage rating of at least 30 miles per gallon, and after January 1, 2002, at least 35 miles per gallon. This is initially anticipated to result in minimal additional costs to DAS and other state agencies that purchase vehicles. While the purchase price may be slightly higher, reductions in operating costs would result in long-term savings.

The bill adopts the standards established by the federal government for the percentage of alternative fueled vehicles required in the state motor vehicle fleet. Therefore this does not result in additional costs. Federal law requires that 75% of the state motor vehicle fleet be capable of operating on natural gas, electricity or other system acceptable to the US Department of Energy. Currently, such vehicles cost about \$5,000 more than conventional vehicles. About 300 alternative fueled vehicles will be purchased in FY 01 and another 450 in FY 02.

**OLR Bill Analysis**

sSB 439

***AN ACT ESTABLISHING A POLICY FOR THE STATE PURCHASE OF ENVIRONMENTALLY PREFERABLE PRODUCTS.*****SUMMARY:**

This bill requires the Department of Administrative Services (DAS) to establish procedures that promote the statewide procurement and use of recycled products and environmentally preferable products and services. DAS must do this within available appropriations.

The bill requires at least 30%, rather than 10%, of the material used to produce xerox or copy paper that the state buys to be derived from paper recycled after it has been used by consumers. The bill makes the same change with regard to the white paper used for the tax booklets prepared by the Department of Revenue Services.

The bill reduces the minimum fuel efficiency standard for state-bought cars and light trucks.

Under federal law, at least 50% of the 2000 model year cars and light trucks bought for the state fleet must be powered by alternative fuels. The proportion increases to 75% for subsequent model years. (The requirement does not apply to law enforcement and certain other types of vehicles.) The bill incorporates these requirements in state law. It requires that the alternative fuel vehicles be capable of operating on natural gas, electricity, or other systems acceptable to the U.S. Department of Energy that are available in the state.

EFFECTIVE DATE: October 1, 2000

**ENVIRONMENTALLY PREFERABLE PRODUCTS**

Under the bill, environmentally preferable goods, services, and practices are those that cause less harm to human health and the environment than their competitors that serve the same function. In

determining whether a product is environmentally preferable DAS can consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product.

DAS must:

1. designate environmentally preferable products;
2. establish minimum standards and specifications for their procurement and use;
3. when feasible, include use of environmentally preferable products and services as a criterion in bids or as an evaluation factor in requests for proposals; and
4. consider the use of environmentally preferable practices when reviewing the overall performance of the business operation of a bidder or proposer.

Within available appropriations, DAS also must:

1. develop and maintain information about environmentally preferable products and services and recycled goods;
2. provide implementation assistance and information to agencies about the use of environmentally preferable goods and services; and
3. monitor state agency use of such products and services and recycled products.

**VEHICLE FUEL EFFICIENCY STANDARDS**

The law subjects most state-bought vehicles to minimum fuel efficiency standards. Under current law, cars must have a rating of at least 45 miles per gallon (m.p.g.) and light trucks must have a rating of at least 35 m.p.g. The bill reduces the standard for both types of vehicles to 30 m.p.g. from October 1, 2000 until January 1, 2002 and sets it at 35 m.p.g. thereafter.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 24 Nay 0