

S.B. NO. 2709

JAN 25 2010

A BILL FOR AN ACT

RELATING TO ENVIRONMENTALLY SENSITIVE PRODUCTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 302A-1509, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§302A-1509 Environmentally-sensitive cleaning and**
4 **maintenance products for use in public schools.** The department
5 of education shall require that all public school facilities
6 give first preference, where feasible, to the purchase and use
7 of environmentally-sensitive cleaning and maintenance products
8 that have been approved by the [~~Green Seal program~~] Design for
9 the Environment program of the United States Environmental
10 Protection Agency pursuant to section 321-26.5, for use in
11 public school facilities:

- 12 (1) To clean hard surfaces in bathrooms such as counters,
13 walls, floors, fixtures, basins, tubs, or tile;
- 14 (2) To eliminate dirt and stains on rugs and carpeting;
- 15 (3) For routine cleaning of hard surfaces, including
16 impervious flooring such as concrete or tile; provided
17 that this category shall not include:

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- 1 (A) Products intended primarily to strip, polish, or
2 wax floors; or
- 3 (B) Cleaners intended primarily for cleaning toilet
4 bowls, dishes, laundry, upholstery, or wood;
- 5 (4) To clean glass, windows, mirrors, or metallic or
6 polished surfaces;
- 7 (5) For routine, non-specialized hand cleaning;
- 8 (6) Paper towels or other paper used for cleaning;
9 provided that this category shall not include toilet
10 paper, facial tissue, or paper towels used for
11 drying hands; and
- 12 (7) Other categories as identified [~~in~~] by the department
13 of health."

14 SECTION 2. Section 321-26.5, Hawaii Revised Statutes,
15 is amended to read as follows:

16 **"§321-26.5 Environmentally-sensitive cleaning and**
17 **maintenance products for use in public schools; approved list of**
18 **products.** (a) The department of health shall maintain a list
19 of products that have been approved by the [~~Green Seal program~~]
20 Design for the Environment program of the United States
21 Environmental Protection Agency for public school facilities to
22 use as a first preference guideline when purchasing and using

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1 environmentally-sensitive cleaning and maintenance products;
2 provided that the department may add or remove any product from
3 the list as deemed necessary by the director.

4 (b) The department shall review and evaluate existing
5 research regarding environmentally-sensitive cleaning and
6 maintenance products [~~including any research and guidance~~]
7 issued by the United States Environmental Protection Agency."

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:



BY REQUEST

Report Title:

Health; Environment; Cleaning Products; Public Schools

Description:

Requires the department of education to give first preference to environmentally-sensitive cleaning and maintenance products that carry the design for the environment label designated by the United States Environmental Protection Agency for use in public schools.

JUSTIFICATION SHEET

DEPARTMENT: Office of the Governor

TITLE: A BILL FOR AN ACT RELATING TO ENVIRONMENTALLY SENSITIVE PRODUCTS.

PURPOSE: Requires the Department of Education to give first preference to environmentally sensitive cleaning products that are approved by the Design for the Environment (DfE) program of the United States Environmental Protection Agency (EPA), rather than products approved by the Green Seal program.

MEANS: Amend sections 302A-1509 and 321-26.5, Hawaii Revised Statutes (HRS).

JUSTIFICATION: By Act 13, First Special Session Laws of Hawaii 2009, required the Department of Education to give first preference to cleaning products used in public schools that were certified to be environmentally sensitive by the Green Seal program.

This bill amends that law to replace the EPA as the designating authority on "green" cleaning products that should be used in public schools.

The DfE program is administered by the U.S. Environmental Protection Agency's Office of Pollution Prevention and Toxics, which has regulated chemicals for more than 30 years and has unique expertise in understanding the impacts of chemicals on people and the environment. The DfE has a scientific review team screen each ingredient for potential human health and environmental effects and that - based on currently available information, EPA predictive models, and expert judgment-the product contains only those ingredients that pose the least concern among chemicals in their class.

The Legislature should utilize scientific data and processes from federal agencies when creating procurement preferences for state agencies in order to ensure accuracy and consistency.

Impact on the public: Ensures that the information that is being used for procurement preferences by the Department of Education is based on scientifically reliable information provided by the federal Environmental Protection Agency.

Impact on the department and other agencies: Enables the Department of Education and Department of Health to utilize reliable information provided by a federal agency.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: Not applicable.

OTHER AFFECTED AGENCIES: Department of Education and Department of Health.

EFFECTIVE DATE: Upon approval.