

SECOND REGULAR SESSION

HOUSE BILL NO. 1960

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES KRAUS (Sponsor), ROORDA AND SPRENG (Co-sponsors).

Read 1st time February 4, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3219L.01I

AN ACT

To amend chapter 161, RSMo, by adding thereto one new section relating to school cleaning supplies.

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

Section A. Chapter 161, RSMo, is amended by adding thereto one new section, to be
2 known as section 161.365, to read as follows:

**161.365. 1. Beginning with school year 2009-2010, school districts shall establish
2 a "green" cleaning policy and exclusively purchase and use environmentally-sensitive
3 cleaning products that meet the guidelines and specifications of subsection 3 of this section.
4 A district may, however, deplete its existing cleaning and maintenance supply stocks and
5 implement the new requirements in the procurement cycle for the following school year.
6 2. If a district determines that adopting a green cleaning policy is not economically
7 feasible as defined in this subsection, the district shall provide annual written notification
8 to the department of elementary and secondary education, on a form provided by the
9 department, that the development and implementation of a green cleaning policy is not
10 economically feasible, until such time that it is determined to be economically feasible. For
11 purposes of this section, adopting a green cleaning policy is not economically feasible if
12 such adoption would result in an increase in the cleaning costs of the district. In
13 calculating cleaning costs, districts shall not include costs associated with training and staff
14 development.**

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.

15 **3. The department of elementary and secondary education shall, in consultation**
16 **with the department of health and senior services, and a panel of interested stakeholders,**
17 **including cleaning product industry representatives, nongovernmental organizations, and**
18 **others, establish and amend on an annual basis guidelines and specifications for green**
19 **cleaning programs, including environmentally-sensitive cleaning and maintenance**
20 **products, paper product purchases, and equipment purchases for cleaning programs. The**
21 **department shall provide multiple avenues by which cleaning products may be determined**
22 **to be environmentally-sensitive under the guidelines. Guidelines and specifications shall**
23 **be established after a review and evaluation of existing research and shall be completed no**
24 **later than one hundred eighty days after August 28, 2008. Guidelines and specifications**
25 **may include implementation practices, including inspection. The completed guidelines and**
26 **specifications shall be posted on the department of elementary and secondary education's**
27 **official web site.**

28 **4. Upon completion of the guidelines and specifications required under subsection**
29 **3 of this section, the department of elementary and secondary education shall provide each**
30 **district with a printed copy of the guidelines and specifications. Each district shall then**
31 **immediately disseminate the guidelines and specifications to every school in the district.**
32 **In the event the guidelines and specifications are updated by the department of elementary**
33 **and secondary education, the department shall provide the updates to each district for**
34 **immediate dissemination to each school. Additionally, the department of elementary and**
35 **secondary education shall post all updated materials on the department's official web site.**

36 **5. The department of elementary and secondary education may promulgate rules**
37 **and regulations necessary to carry out the provisions of this section. Any rule or portion**
38 **of a rule, as that term is defined in section 536.010, RSMo, that is created under the**
39 **authority delegated in this section shall become effective only if it complies with and is**
40 **subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028,**
41 **RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers**
42 **vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the**
43 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
44 **then the grant of rulemaking authority and any rule proposed or adopted after August 28,**
45 **2008, shall be invalid and void.**

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