

SB1932



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1932

Introduced 2/20/2009, by Sen. A. J. Wilhelmi

SYNOPSIS AS INTRODUCED:

415 ILCS 20/3

from Ch. 111 1/2, par. 7053

Amends the Illinois Solid Waste Management Act. Requires all State agencies to use, to the maximum extent feasible, compost materials in all land maintenance activities that are to be paid for with public funds (now, State agencies must only "give due consideration and preference to the use" of those materials). Effective immediately.

LRB096 04479 JDS 14531 b

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Solid Waste Management Act is
5 amended by changing Section 3 as follows:

6 (415 ILCS 20/3) (from Ch. 111 1/2, par. 7053)

7 Sec. 3. State agency materials recycling program.

8 (a) All State agencies responsible for the maintenance of
9 public lands in the State shall, to the maximum extent
10 feasible, ~~give due consideration and preference to the use of~~
11 compost materials in all land maintenance activities which are
12 to be paid with public funds.

13 (b) The Department of Central Management Services, in
14 coordination with the Department of Commerce and Economic
15 Opportunity, shall implement waste reduction programs,
16 including source separation and collection, for office
17 wastepaper, corrugated containers, newsprint and mixed paper,
18 in all State buildings as appropriate and feasible. Such waste
19 reduction programs shall be designed to achieve waste
20 reductions of at least 25% of all such waste by December 31,
21 1995, and at least 50% of all such waste by December 31, 2000.
22 Any source separation and collection program shall include, at
23 a minimum, procedures for collecting and storing recyclable

1 materials, bins or containers for storing materials, and
2 contractual or other arrangements with buyers of recyclable
3 materials. If market conditions so warrant, the Department of
4 Central Management Services, in coordination with the
5 Department of Commerce and Economic Opportunity, may modify
6 programs developed pursuant to this Section.

7 The Department of Commerce and Community Affairs (now
8 Department of Commerce and Economic Opportunity) shall conduct
9 waste categorization studies of all State facilities for
10 calendar years 1991, 1995 and 2000. Such studies shall be
11 designed to assist the Department of Central Management
12 Services to achieve the waste reduction goals established in
13 this subsection.

14 (c) Each State agency shall, upon consultation with the
15 Department of Commerce and Economic Opportunity, periodically
16 review its procurement procedures and specifications related
17 to the purchase of products or supplies. Such procedures and
18 specifications shall be modified as necessary to require the
19 procuring agency to seek out products and supplies that contain
20 recycled materials, and to ensure that purchased products or
21 supplies are reusable, durable or made from recycled materials
22 whenever economically and practically feasible. In choosing
23 among products or supplies that contain recycled material,
24 consideration shall be given to products and supplies with the
25 highest recycled material content that is consistent with the
26 effective and efficient use of the product or supply.

1 (d) Wherever economically and practically feasible, the
2 Department of Central Management Services shall procure
3 recycled paper and paper products as follows:

4 (1) Beginning July 1, 1989, at least 10% of the total
5 dollar value of paper and paper products purchased by the
6 Department of Central Management Services shall be
7 recycled paper and paper products.

8 (2) Beginning July 1, 1992, at least 25% of the total
9 dollar value of paper and paper products purchased by the
10 Department of Central Management Services shall be
11 recycled paper and paper products.

12 (3) Beginning July 1, 1996, at least 40% of the total
13 dollar value of paper and paper products purchased by the
14 Department of Central Management Services shall be
15 recycled paper and paper products.

16 (4) Beginning July 1, 2000, at least 50% of the total
17 dollar value of paper and paper products purchased by the
18 Department of Central Management Services shall be
19 recycled paper and paper products.

20 (e) Paper and paper products purchased from private vendors
21 pursuant to printing contracts are not considered paper
22 products for the purposes of subsection (d). However, the
23 Department of Central Management Services shall report to the
24 General Assembly on an annual basis the total dollar value of
25 printing contracts awarded to private sector vendors that
26 included the use of recycled paper.

1 (f) (1) Wherever economically and practically feasible, the
2 recycled paper and paper products referred to in subsection
3 (d) shall contain postconsumer or recovered paper
4 materials as specified by paper category in this
5 subsection:

6 (i) Recycled high grade printing and writing paper
7 shall contain at least 50% recovered paper material.
8 Such recovered paper material, until July 1, 1994,
9 shall consist of at least 20% deinked stock or
10 postconsumer material; and beginning July 1, 1994,
11 shall consist of at least 25% deinked stock or
12 postconsumer material; and beginning July 1, 1996,
13 shall consist of at least 30% deinked stock or
14 postconsumer material; and beginning July 1, 1998,
15 shall consist of at least 40% deinked stock or
16 postconsumer material; and beginning July 1, 2000,
17 shall consist of at least 50% deinked stock or
18 postconsumer material.

19 (ii) Recycled tissue products, until July 1, 1994,
20 shall contain at least 25% postconsumer material; and
21 beginning July 1, 1994, shall contain at least 30%
22 postconsumer material; and beginning July 1, 1996,
23 shall contain at least 35% postconsumer material; and
24 beginning July 1, 1998, shall contain at least 40%
25 postconsumer material; and beginning July 1, 2000,
26 shall contain at least 45% postconsumer material.

1 (iii) Recycled newsprint, until July 1, 1994,
2 shall contain at least 40% postconsumer material; and
3 beginning July 1, 1994, shall contain at least 50%
4 postconsumer material; and beginning July 1, 1996,
5 shall contain at least 60% postconsumer material; and
6 beginning July 1, 1998, shall contain at least 70%
7 postconsumer material; and beginning July 1, 2000,
8 shall contain at least 80% postconsumer material.

9 (iv) Recycled unbleached packaging, until July 1,
10 1994, shall contain at least 35% postconsumer
11 material; and beginning July 1, 1994, shall contain at
12 least 40% postconsumer material; and beginning July 1,
13 1996, shall contain at least 45% postconsumer
14 material; and beginning July 1, 1998, shall contain at
15 least 50% postconsumer material; and beginning July 1,
16 2000, shall contain at least 55% postconsumer
17 material.

18 (v) Recycled paperboard, until July 1, 1994, shall
19 contain at least 80% postconsumer material; and
20 beginning July 1, 1994, shall contain at least 85%
21 postconsumer material; and beginning July 1, 1996,
22 shall contain at least 90% postconsumer material; and
23 beginning July 1, 1998, shall contain at least 95%
24 postconsumer material.

25 (2) For the purposes of this Section, "postconsumer
26 material" includes:

1 (i) paper, paperboard, and fibrous wastes from
2 retail stores, office buildings, homes, and so forth,
3 after the waste has passed through its end usage as a
4 consumer item, including used corrugated boxes, old
5 newspapers, mixed waste paper, tabulating cards, and
6 used cordage; and

7 (ii) all paper, paperboard, and fibrous wastes
8 that are diverted or separated from the municipal solid
9 waste stream.

10 (3) For the purposes of this Section, "recovered paper
11 material" includes:

12 (i) postconsumer material;

13 (ii) dry paper and paperboard waste generated
14 after completion of the papermaking process (that is,
15 those manufacturing operations up to and including the
16 cutting and trimming of the paper machine reel into
17 smaller rolls or rough sheets), including envelope
18 cuttings, bindery trimmings, and other paper and
19 paperboard waste resulting from printing, cutting,
20 forming, and other converting operations, or from bag,
21 box and carton manufacturing, and butt rolls, mill
22 wrappers, and rejected unused stock; and

23 (iii) finished paper and paperboard from obsolete
24 inventories of paper and paperboard manufacturers,
25 merchants, wholesalers, dealers, printers, converters,
26 or others.

1 (g) The Department of Central Management Services may adopt
2 regulations to carry out the provisions and purposes of this
3 Section.

4 (h) Every State agency shall, in its procurement documents,
5 specify that, whenever economically and practically feasible,
6 a product to be procured must consist, wholly or in part, of
7 recycled materials, or be recyclable or reusable in whole or in
8 part. When applicable, if state guidelines are not already
9 prescribed, State agencies shall follow USEPA guidelines for
10 federal procurement.

11 (i) All State agencies shall cooperate with the Department
12 of Central Management Services in carrying out this Section.
13 The Department of Central Management Services may enter into
14 cooperative purchasing agreements with other governmental
15 units in order to obtain volume discounts, or for other reasons
16 in accordance with the Governmental Joint Purchasing Act, or in
17 accordance with the Intergovernmental Cooperation Act if
18 governmental units of other states or the federal government
19 are involved.

20 (j) The Department of Central Management Services shall
21 submit an annual report to the General Assembly concerning its
22 implementation of the State's collection and recycled paper
23 procurement programs. This report shall include a description
24 of the actions that the Department of Central Management
25 Services has taken in the previous fiscal year to implement
26 this Section. This report shall be submitted on or before

1 November 1 of each year.

2 (k) The Department of Central Management Services, in
3 cooperation with all other appropriate departments and
4 agencies of the State, shall institute whenever economically
5 and practically feasible the use of re-refined motor oil in all
6 State-owned motor vehicles and the use of remanufactured and
7 retread tires whenever such use is practical, beginning no
8 later than July 1, 1992.

9 (l) (Blank).

10 (m) The Department of Central Management Services, in
11 coordination with the Department of Commerce and Community
12 Affairs (now Department of Commerce and Economic Opportunity),
13 shall implement an aluminum can recycling program in all State
14 buildings within 270 days of the effective date of this
15 amendatory Act of 1997. The program shall provide for (1) the
16 collection and storage of used aluminum cans in bins or other
17 appropriate containers made reasonably available to occupants
18 and visitors of State buildings and (2) the sale of used
19 aluminum cans to buyers of recyclable materials.

20 Proceeds from the sale of used aluminum cans shall be
21 deposited into I-CYCLE accounts maintained in the State Surplus
22 Property Revolving Fund and, subject to appropriation, shall be
23 used by the Department of Central Management Services and any
24 other State agency to offset the costs of implementing the
25 aluminum can recycling program under this Section.

26 All State agencies having an aluminum can recycling program

1 in place shall continue with their current plan. If a State
2 agency has an existing recycling program in place, proceeds
3 from the aluminum can recycling program may be retained and
4 distributed pursuant to that program, otherwise all revenue
5 resulting from these programs shall be forwarded to Central
6 Management Services, I-CYCLE for placement into the
7 appropriate account within the State Surplus Property
8 Revolving Fund, minus any operating costs associated with the
9 program.

10 (Source: P.A. 94-793, eff. 5-19-06.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.