

**SB2963**



**99TH GENERAL ASSEMBLY**

**State of Illinois**

**2015 and 2016**

**SB2963**

Introduced 2/18/2016, by Sen. David Koehler

**SYNOPSIS AS INTRODUCED:**

415 ILCS 20/3

from Ch. 111 1/2, par. 7053

Amends the Illinois Solid Waste Management Act. Provides that the Department of Central Management Services, in coordination with the Department of Commerce and Economic Opportunity, has implemented (instead of shall implement) an aluminum can recycling program in all State buildings within 270 days of the effective date of this amendatory Act of 1997.

LRB099 16462 MGM 40796 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, use compost materials in all land maintenance  
11 activities which are to be paid with public funds.

12 (a-5) All State agencies responsible for the maintenance of  
13 public lands in the State shall review its procurement  
14 specifications and policies to determine (1) if incorporating  
15 compost materials will help reduce stormwater run-off and  
16 increase infiltration of moisture in land maintenance  
17 activities and (2) the current recycled content usage and  
18 potential for additional recycled content usage by the Agency  
19 in land maintenance activities and report to the General  
20 Assembly by December 15, 2015.

21 (b) The Department of Central Management Services, in  
22 coordination with the Department of Commerce and Economic  
23 Opportunity, shall implement waste reduction programs,

1 including source separation and collection, for office  
2 wastepaper, corrugated containers, newsprint and mixed paper,  
3 in all State buildings as appropriate and feasible. Such waste  
4 reduction programs shall be designed to achieve waste  
5 reductions of at least 25% of all such waste by December 31,  
6 1995, and at least 50% of all such waste by December 31, 2000.  
7 Any source separation and collection program shall include, at  
8 a minimum, procedures for collecting and storing recyclable  
9 materials, bins or containers for storing materials, and  
10 contractual or other arrangements with buyers of recyclable  
11 materials. If market conditions so warrant, the Department of  
12 Central Management Services, in coordination with the  
13 Department of Commerce and Economic Opportunity, may modify  
14 programs developed pursuant to this Section.

15 The Department of Commerce and Community Affairs (now  
16 Department of Commerce and Economic Opportunity) shall conduct  
17 waste categorization studies of all State facilities for  
18 calendar years 1991, 1995 and 2000. Such studies shall be  
19 designed to assist the Department of Central Management  
20 Services to achieve the waste reduction goals established in  
21 this subsection.

22 (c) Each State agency shall, upon consultation with the  
23 Department of Commerce and Economic Opportunity, periodically  
24 review its procurement procedures and specifications related  
25 to the purchase of products or supplies. Such procedures and  
26 specifications shall be modified as necessary to require the

1 procuring agency to seek out products and supplies that contain  
2 recycled materials, and to ensure that purchased products or  
3 supplies are reusable, durable or made from recycled materials  
4 whenever economically and practically feasible. In choosing  
5 among products or supplies that contain recycled material,  
6 consideration shall be given to products and supplies with the  
7 highest recycled material content that is consistent with the  
8 effective and efficient use of the product or supply.

9 (d) Wherever economically and practically feasible, the  
10 Department of Central Management Services shall procure  
11 recycled paper and paper products as follows:

12 (1) Beginning July 1, 1989, at least 10% 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 (2) Beginning July 1, 1992, at least 25% 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 (3) Beginning July 1, 1996, at least 40% of the total  
21 dollar value of paper and paper products purchased by the  
22 Department of Central Management Services shall be  
23 recycled paper and paper products.

24 (4) Beginning July 1, 2000, at least 50% of the total  
25 dollar value of paper and paper products purchased by the  
26 Department of Central Management Services shall be

1 recycled paper and paper products.

2 (e) Paper and paper products purchased from private vendors  
3 pursuant to printing contracts are not considered paper  
4 products for the purposes of subsection (d). However, the  
5 Department of Central Management Services shall report to the  
6 General Assembly on an annual basis the total dollar value of  
7 printing contracts awarded to private sector vendors that  
8 included the use of recycled paper.

9 (f) (1) Wherever economically and practically feasible,  
10 the recycled paper and paper products referred to in  
11 subsection (d) shall contain postconsumer or recovered  
12 paper materials as specified by paper category in this  
13 subsection:

14 (i) Recycled high grade printing and writing paper  
15 shall contain at least 50% recovered paper material.  
16 Such recovered paper material, until July 1, 1994,  
17 shall consist of at least 20% deinked stock or  
18 postconsumer material; and beginning July 1, 1994,  
19 shall consist of at least 25% deinked stock or  
20 postconsumer material; and beginning July 1, 1996,  
21 shall consist of at least 30% deinked stock or  
22 postconsumer material; and beginning July 1, 1998,  
23 shall consist of at least 40% deinked stock or  
24 postconsumer material; and beginning July 1, 2000,  
25 shall consist of at least 50% deinked stock or  
26 postconsumer material.

1           (ii) Recycled tissue products, until July 1, 1994,  
2           shall contain at least 25% postconsumer material; and  
3           beginning July 1, 1994, shall contain at least 30%  
4           postconsumer material; and beginning July 1, 1996,  
5           shall contain at least 35% postconsumer material; and  
6           beginning July 1, 1998, shall contain at least 40%  
7           postconsumer material; and beginning July 1, 2000,  
8           shall contain at least 45% postconsumer material.

9           (iii) Recycled newsprint, until July 1, 1994,  
10           shall contain at least 40% postconsumer material; and  
11           beginning July 1, 1994, shall contain at least 50%  
12           postconsumer material; and beginning July 1, 1996,  
13           shall contain at least 60% postconsumer material; and  
14           beginning July 1, 1998, shall contain at least 70%  
15           postconsumer material; and beginning July 1, 2000,  
16           shall contain at least 80% postconsumer material.

17           (iv) Recycled unbleached packaging, until July 1,  
18           1994, shall contain at least 35% postconsumer  
19           material; and beginning July 1, 1994, shall contain at  
20           least 40% postconsumer material; and beginning July 1,  
21           1996, shall contain at least 45% postconsumer  
22           material; and beginning July 1, 1998, shall contain at  
23           least 50% postconsumer material; and beginning July 1,  
24           2000, shall contain at least 55% postconsumer  
25           material.

26           (v) Recycled paperboard, until July 1, 1994, shall

1 contain at least 80% postconsumer material; and  
2 beginning July 1, 1994, shall contain at least 85%  
3 postconsumer material; and beginning July 1, 1996,  
4 shall contain at least 90% postconsumer material; and  
5 beginning July 1, 1998, shall contain at least 95%  
6 postconsumer material.

7 (2) For the purposes of this Section, "postconsumer  
8 material" includes:

9 (i) paper, paperboard, and fibrous wastes from  
10 retail stores, office buildings, homes, and so forth,  
11 after the waste has passed through its end usage as a  
12 consumer item, including used corrugated boxes, old  
13 newspapers, mixed waste paper, tabulating cards, and  
14 used cordage; and

15 (ii) all paper, paperboard, and fibrous wastes  
16 that are diverted or separated from the municipal solid  
17 waste stream.

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

20 (i) postconsumer material;

21 (ii) dry paper and paperboard waste generated  
22 after completion of the papermaking process (that is,  
23 those manufacturing operations up to and including the  
24 cutting and trimming of the paper machine reel into  
25 smaller rolls or rough sheets), including envelope  
26 cuttings, bindery trimmings, and other paper and

1 paperboard waste resulting from printing, cutting,  
2 forming, and other converting operations, or from bag,  
3 box and carton manufacturing, and butt rolls, mill  
4 wrappers, and rejected unused stock; and

5 (iii) finished paper and paperboard from obsolete  
6 inventories of paper and paperboard manufacturers,  
7 merchants, wholesalers, dealers, printers, converters,  
8 or others.

9 (g) The Department of Central Management Services may adopt  
10 regulations to carry out the provisions and purposes of this  
11 Section.

12 (h) Every State agency shall, in its procurement documents,  
13 specify that, whenever economically and practically feasible,  
14 a product to be procured must consist, wholly or in part, of  
15 recycled materials, or be recyclable or reusable in whole or in  
16 part. When applicable, if state guidelines are not already  
17 prescribed, State agencies shall follow USEPA guidelines for  
18 federal procurement.

19 (i) All State agencies shall cooperate with the Department  
20 of Central Management Services in carrying out this Section.  
21 The Department of Central Management Services may enter into  
22 cooperative purchasing agreements with other governmental  
23 units in order to obtain volume discounts, or for other reasons  
24 in accordance with the Governmental Joint Purchasing Act, or in  
25 accordance with the Intergovernmental Cooperation Act if  
26 governmental units of other states or the federal government



1 are involved.

2 (j) The Department of Central Management Services shall  
3 submit an annual report to the General Assembly concerning its  
4 implementation of the State's collection and recycled paper  
5 procurement programs. This report shall include a description  
6 of the actions that the Department of Central Management  
7 Services has taken in the previous fiscal year to implement  
8 this Section. This report shall be submitted on or before  
9 November 1 of each year.

10 (k) The Department of Central Management Services, in  
11 cooperation with all other appropriate departments and  
12 agencies of the State, shall institute whenever economically  
13 and practically feasible the use of re-refined motor oil in all  
14 State-owned motor vehicles and the use of remanufactured and  
15 retread tires whenever such use is practical, beginning no  
16 later than July 1, 1992.

17 (l) (Blank).

18 (m) The Department of Central Management Services, in  
19 coordination with the Department of Commerce and Community  
20 Affairs (now Department of Commerce and Economic Opportunity),  
21 has implemented ~~shall implement~~ an aluminum can recycling  
22 program in all State buildings within 270 days of the effective  
23 date of this amendatory Act of 1997. The program provides ~~shall~~  
24 ~~provide~~ for (1) the collection and storage of used aluminum  
25 cans in bins or other appropriate containers made reasonably  
26 available to occupants and visitors of State buildings and (2)

1 the sale of used aluminum cans to buyers of recyclable  
2 materials.

3 Proceeds from the sale of used aluminum cans shall be  
4 deposited into I-CYCLE accounts maintained in the State Surplus  
5 Property Revolving Fund and, subject to appropriation, shall be  
6 used by the Department of Central Management Services and any  
7 other State agency to offset the costs of implementing the  
8 aluminum can recycling program under this Section.

9 All State agencies having an aluminum can recycling program  
10 in place shall continue with their current plan. If a State  
11 agency has an existing recycling program in place, proceeds  
12 from the aluminum can recycling program may be retained and  
13 distributed pursuant to that program, otherwise all revenue  
14 resulting from these programs shall be forwarded to Central  
15 Management Services, I-CYCLE for placement into the  
16 appropriate account within the State Surplus Property  
17 Revolving Fund, minus any operating costs associated with the  
18 program.

19 (Source: P.A. 99-34, eff. 7-14-15.)