



Sen. Pamela J. Althoff

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1 AMENDMENT TO SENATE BILL 1417

2 AMENDMENT NO. _____. Amend Senate Bill 1417, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 1, on page 7, by replacing lines 5 and 6 with "collection sites
5 and one-day collection events."; and

6 on page 8, by deleting lines 6 through 11; and

7 on page 11, lines 12 and 13, by replacing "January 31" each
8 time it appears with "March 1"; and

9 on page 12, by replacing lines 1 through 3 with the following:

10 "(c) Each manufacturer e-waste program shall make the
11 instructions required under paragraph (2) of subsection (b)
12 available on its website by December 1, 2017, and the program
13 shall provide to the Agency a hyperlink to the website for
14 posting on the Agency's website."; and

1 on page 13, immediately below line 18, by inserting the
2 following:

3 "For purposes of this Section, county population densities
4 shall be based on the entire county's population density,
5 regardless of whether a municipality or municipal joint action
6 agency in the county participates in the program."; and

7 on page 13, by replacing line 23 with "municipality and the
8 county collection sites required under paragraph (6) of
9 subsection (a) of this Section shall be"; and

10 on page 14, by replacing lines 2 through 17 with the following:

11 "(b) Notwithstanding subsection (a) of this Section, any
12 county recycling coordinator for a county that participates in
13 a manufacturer e-waste program for a program year, any
14 recycling coordinator for a municipality with a population of
15 over 1,000,000 residents that participates in a manufacturer
16 e-waste program for a program year, or any executive director
17 of a municipal joint action agency that participates in a
18 manufacturer e-waste program for a program year may enter into
19 a written agreement with the manufacturer e-waste program to do
20 any one or more of the following:

21 (1) to decrease the number of program collection sites
22 within the county, municipality, or territorial boundary
23 of the municipal joint action agency;

24 (2) to substitute a program collection site in the

1 county, municipality, or territorial boundary of the
2 municipal joint action agency with either (i) 4 one-day
3 collection events or (ii) a different number of such events
4 as may be provided in the written agreement;

5 (3) to substitute the location of a program collection
6 site in the county, municipality, or territorial boundary
7 of the municipal joint action agency with another location
8 in the county, municipality, or territorial boundary of the
9 municipal joint action agency; or

10 (4) to substitute the location of a one-day collection
11 in the county, municipality, or territorial boundary of the
12 municipal joint action agency with another location in the
13 county, municipality, or territorial boundary of the
14 municipal joint action agency."; and

15 by deleting line 22 on page 14 through line 10 on page 15; and

16 on page 15, line 11, by replacing "(d)" with "(c)"; and

17 on page 15, by replacing line 18 with "manufacturer e-waste
18 program, on or before March"; and

19 on page 16, by replacing lines 9 through 13, with the
20 following:

21 "A county may, by written agreement with a municipal joint
22 action agency located within that county, cede one or more of

1 the collection sites to the municipal joint action agency upon
2 the municipal joint action agency's election to participate in
3 a manufacturer e-waste program. The municipal joint action
4 agency's election to participate must be submitted by the March
5 1 preceding the applicable program year and must include a copy
6 of the written agreement between the county and municipal joint
7 action agency. The written agreement must specify the number of
8 collection sites ceded to the municipal joint action agency by
9 the county."; and

10 on page 16, lines 21 and 22, by replacing "best practices" with
11 "Section 1-45"; and

12 on page 17, by replacing lines 13 through 15 with "residential
13 CEDs under the program; and"; and

14 on page 18, by replacing line 6 with "shall make the approved
15 plan available on the Agency's website."; and

16 on page 18, line 14, by deleting "individual who serves as the
17 point of contact for the"; and

18 on page 18, immediately below line 17, by inserting the
19 following:

20 "(c) An updated list of recyclers must be provided to the
21 Agency no later than the December 1 preceding each program

1 year."; and

2 on page 18, line 23, by replacing "\$3,000" with "\$5,000"; and

3 on page 19, line 4, after ";", by inserting "and"; and

4 on page 19, line 5, by replacing "the weight of all
5 televisions" with "the total weights, by category, of CEDs";
6 and

7 on page 19, line 8, by replacing ";" with "."; and

8 on page 19, by deleting lines 9 through 24; and

9 on page 21, by replacing lines 3 through 5 with the following:

10 "(a) Beginning in program year 2019, no retailer may sell
11 or"; and

12 on page 21, line 14, by replacing "agency" with "Agency"; and

13 on page 21, line 22, immediately after "interest", by inserting
14 ", in which case"; and

15 on page 22, line 5, by replacing "manufacture" with
16 "manufacturer"; and

1 on page 22, line 22, immediately after "CEDs", by inserting
2 "collected through a manufacturer e-waste program"; and

3 on page 23, by replacing lines 2 and 3 with "all registered
4 recyclers."; and

5 on page 23, by replacing lines 8 and 9 with the following:

6 "(d) Beginning in program year 2019, recyclers must, as a
7 part of their annual registration, certify compliance with all
8 of the following."; and

9 on page 28, by replacing lines 20 through 23 with "one-day
10 collection event shall report, to the Agency and to the
11 manufacturer e-waste program, the total weight of all
12 residential CEDs transported from the program collection site
13 or one-day collection event during the previous program year."
14 and

15 on page 29, by replacing lines 2 and 3 with "law. In addition,
16 at a"; and

17 on page 29, line 16, by replacing "prorate" with "prorated";
18 and

19 on page 30, line 22, by replacing "an individual" with "a
20 person"; and

1 on page 31, by replacing line 3 with "penalty of \$7,000 per
2 violation, provided that the penalty for a failure to register
3 or pay a fee under this Act shall be double the applicable
4 registration fee."; and

5 on page 31, line 11, immediately after "Environmental", by
6 inserting "Protection"; and

7 on page 32, immediately below line 1, by inserting the
8 following:

9 "(f) A knowing violation of subsections (a), (b), or (c) of
10 Section 1-83 of this Act by anyone other than a residential
11 consumer is a petty offense punishable by a fine of \$500. A
12 knowing violation of subsections (a), (b), or (c) of Section
13 1-83 by a residential consumer is a petty offense punishable by
14 a fine of \$25 for a first violation; however, a subsequent
15 violation by a residential consumer is a petty offense
16 punishable by a fine of \$50.

17 (g) Any person who knowingly makes a false material
18 statement or certification in a registration required under
19 this Act commits the offense of perjury and shall be subject to
20 the penalties set forth in Section 32-2 of the Criminal Code of
21 2012."; and

22 on page 32, by replacing lines 6 and 7 with "of this Act, and

1 any violation of a plan submission requirement in Section 1-25
2 of this Act shall"; and

3 on page 34, by deleting lines 11 through 23; and

4 on page 37, by deleting lines 18 and 19; and

5 on page 37, immediately above line 20, by inserting the
6 following:

7 "Section 1-84. Allocation of financial responsibilities
8 among manufacturers.

9 (a) By no later than January 1, 2019, the Pollution Control
10 Board shall adopt rules that specify how to allocate financial
11 responsibilities for the transportation and recycling of
12 collected CEDs among manufacturers participating in a
13 manufacturer e-waste program. To ensure the equitable and
14 efficient allocation of those obligations, the rules adopted by
15 the Pollution Control Board shall include a formula that shall
16 be used by manufacturers to identify their proportional
17 responsibility for the transportation and recycling of
18 collected CEDs. The formula developed by the Pollution Control
19 Board shall take into consideration each manufacturer's market
20 and return shares and any other factors the Pollution Control
21 Board deems relevant. The rules adopted by the Pollution
22 Control Board under this Section shall also allow manufacturers

1 to use retail collection sites to satisfy some or all of their
2 responsibilities for the transportation and recycling of
3 collected CEDs.

4 (b) To assist the Pollution Control Board, there is hereby
5 created an Advisory Financial Responsibility Allocation Task
6 Force, which shall consist of the following members, to be
7 appointed by the Director of the Environmental Protection
8 Agency:

9 (1) one individual who is a representative of a
10 statewide association representing retailers;

11 (2) one individual who is a representative of a
12 statewide association representing manufacturers;

13 (3) one individual who is a representative of a
14 national association representing manufacturers of
15 consumer electronics; and

16 (4) one individual who is a representative of a
17 national association representing the information
18 technology industry.

19 As soon as practicable after the effective date of this
20 Act, members of the Advisory Financial Responsibility
21 Allocation Task Force shall be appointed and meet. The Advisory
22 Financial Responsibility Allocation Task Force shall file with
23 the Pollution Control Board, by no later than February 1, 2018,
24 a rulemaking proposal, which sets forth a system for allocating
25 financial responsibilities for the transportation and
26 recycling of collected CEDs among manufacturers participating

1 in a manufacturer e-waste program.

2 Members of the Advisory Financial Responsibility
3 Allocation Task Force shall serve voluntarily and without
4 compensation. The Agency shall provide administrative support
5 to the Task Force as needed.

6 The Advisory Financial Responsibility Allocation Task
7 Force is dissolved by operation of law on January 1, 2019.

8 (c) The rulemaking required under this Section shall be
9 conducted in accordance with Title VII of the Environmental
10 Protection Act, except that no signed petitions for the
11 rulemaking proposal shall be required."; and

12 on page 38, line 1, by replacing "8" with "10"; and

13 on page 83, line 17, by replacing "2019" with "2020".