



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2344

Introduced 2/14/2008, by Sen. A. J. Wilhelmi

SYNOPSIS AS INTRODUCED:

30 ILCS 105/6p-3	from Ch. 127, par. 142p3
30 ILCS 105/8.8a	from Ch. 127, par. 144.8a
30 ILCS 105/5.107 rep.	
30 ILCS 255/2	from Ch. 127, par. 176c
415 ILCS 20/3	from Ch. 111 1/2, par. 7053

Amends the State Finance Act. Provides that any disbursements on or after July 1, 2008 that otherwise would be made from the State Surplus Property Revolving Fund shall be made from the Facilities Management Revolving Fund. Any moneys that otherwise would be paid into the State Surplus Property Revolving Fund on or after that date shall be deposited into the Facilities Management Revolving Fund. Further provides that the State Surplus Property Revolving Fund shall cease to exist on October 31, 2008, and that any balance in the Fund as of that date shall be transferred into the Facilities Management Revolving Fund. Repeals the State Surplus Property Revolving Fund. Makes conforming changes in the State Finance Act and other Acts. Effective July 1, 2008, except that provisions repealing the State Surplus Property Revolving Fund are effective November 1, 2008.

LRB095 18839 RCE 44966 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 5. The State Finance Act is amended by changing
5 Sections 6p-3, 6q, and 8.8a as follows:

6 (30 ILCS 105/6p-3) (from Ch. 127, par. 142p3)

7 Sec. 6p-3. (a) ~~All The State Surplus Property Revolving~~
8 ~~Fund shall be initially financed by a transfer of funds from~~
9 ~~the General Revenue Fund. Thereafter all~~ fees and other monies
10 received by the Department of Central Management Services from
11 the sale or transfer of surplus or transferable property
12 pursuant to the "State Property Control Act" and "An Act to
13 create and establish a State Agency for Federal Surplus
14 Property, to prescribe its powers, duties and functions",
15 approved August 2, 1965, as amended, shall be paid into the
16 Facilities Management State Surplus Property Revolving Fund.
17 Except as provided in paragraph (e) of this Section, the money
18 in this fund shall be used by the Department of Central
19 Management Services as reimbursement for expenditures incurred
20 in relation to the sale of surplus or transferable property.

21 (b) If at the end of the lapse period the balance in the
22 Facilities Management State Surplus Property Revolving Fund
23 exceeds the amount of \$500,000, all monies in excess of that

1 amount shall be transferred and deposited into the General
2 Revenue Fund.

3 (c) Provided, however, that the fund established by this
4 Section shall contain a separate account for the deposit of all
5 proceeds resulting from the sale of Federal surplus property,
6 and the proceeds of this separate account shall be used solely
7 to reimburse the Department of Central Management Services for
8 expenditures incurred in relation to the sale of Federal
9 surplus property.

10 (d) (Blank). ~~Any funds on deposit in the State Agency for~~
11 ~~Surplus Property Utilization Fund on the effective date of this~~
12 ~~amendatory Act of 1983 shall be transferred to the Federal~~
13 ~~account of the State Surplus Property Revolving Fund.~~

14 (e) Revenues received from the sale of wastepaper through
15 paper recycling programs shall be placed into a separate
16 account in the Fund and shall be used to offset costs to the
17 Department of establishing and operating wastepaper recycling
18 programs. At the end of each calendar quarter, any amounts in
19 the separate account that have not been used or designated for
20 use shall be transferred to the Paper and Printing Revolving
21 Fund.

22 (f) Any disbursements on or after July 1, 2008 that
23 otherwise would be made from the State Surplus Property
24 Revolving Fund shall be made from the Facilities Management
25 Revolving Fund. Any moneys that otherwise would be paid into
26 the State Surplus Property Revolving Fund on or after that date

1 shall be deposited into the Facilities Management Revolving
2 Fund. The State Surplus Property Revolving Fund shall cease to
3 exist on October 31, 2008. Any balance in the Fund as of that
4 date shall be transferred into the Facilities Management
5 Revolving Fund.

6 (Source: P.A. 85-1197.)

7 (30 ILCS 105/8.8a) (from Ch. 127, par. 144.8a)

8 Sec. 8.8a. Appropriations for the sale or transfer of
9 surplus or transferable property by the Department of Central
10 Management Services, and for all other expenses incident to the
11 handling, transportation, maintenance and storage of such
12 surplus property, including personal services and contractual
13 services connected therewith and for expenses incident to the
14 establishment and operation of wastepaper recycling programs
15 by the Department, are payable from the Facilities Management
16 ~~State Surplus Property~~ Revolving Fund.

17 (Source: P.A. 85-1197.)

18 (30 ILCS 105/5.107 rep.)

19 Section 10. The State Finance Act is amended by repealing
20 Section 5.107.

21 Section 15. The Federal Commodity Disbursement Act is
22 amended by changing Section 2 as follows:

1 (30 ILCS 255/2) (from Ch. 127, par. 176c)

2 Sec. 2. Any officer, department or agency of this State who
3 or which shall be designated by the Governor as the State
4 Agency for Surplus Property Utilization is authorized to
5 promulgate regulations for the carrying out of its distribution
6 of surplus funds and commodities. All fees and moneys collected
7 or received by the employees or agents of the State officer or
8 agency who or which is designated as the receiving agency shall
9 be paid or turned over to and held by the State Treasurer as ex
10 officio custodian thereof separate and apart from all public
11 funds or moneys of this State and shall be known as the Federal
12 account of the Facilities Management ~~State Surplus Property~~
13 Revolving Fund, to be administered by the designated State
14 officer or agency. All disbursements from this fund shall be
15 made only upon warrants of the State Comptroller drawn upon the
16 Treasurer as custodian of this fund upon vouchers signed by the
17 designated State officer or agency, and the Comptroller is
18 hereby authorized to draw such warrants upon vouchers so
19 signed. The Treasurer shall accept all warrants so signed and
20 shall be released from liability for all payments made thereon.
21 (Source: P.A. 83-9.)

22 Section 20. The Illinois Solid Waste Management Act is
23 amended by changing Section 3 as follows:

24 (415 ILCS 20/3) (from Ch. 111 1/2, par. 7053)

1 Sec. 3. State agency materials recycling program.

2 (a) All State agencies responsible for the maintenance of
3 public lands in the State shall, to the maximum extent
4 feasible, give due consideration and preference to the use of
5 compost materials in all land maintenance activities which are
6 to be paid with public funds.

7 (b) The Department of Central Management Services, in
8 coordination with the Department of Commerce and Economic
9 Opportunity, shall implement waste reduction programs,
10 including source separation and collection, for office
11 wastepaper, corrugated containers, newsprint and mixed paper,
12 in all State buildings as appropriate and feasible. Such waste
13 reduction programs shall be designed to achieve waste
14 reductions of at least 25% of all such waste by December 31,
15 1995, and at least 50% of all such waste by December 31, 2000.
16 Any source separation and collection program shall include, at
17 a minimum, procedures for collecting and storing recyclable
18 materials, bins or containers for storing materials, and
19 contractual or other arrangements with buyers of recyclable
20 materials. If market conditions so warrant, the Department of
21 Central Management Services, in coordination with the
22 Department of Commerce and Economic Opportunity, may modify
23 programs developed pursuant to this Section.

24 The Department of Commerce and Community Affairs (now
25 Department of Commerce and Economic Opportunity) shall conduct
26 waste categorization studies of all State facilities for

1 calendar years 1991, 1995 and 2000. Such studies shall be
2 designed to assist the Department of Central Management
3 Services to achieve the waste reduction goals established in
4 this subsection.

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

18 (d) Wherever economically and practically feasible, the
19 Department of Central Management Services shall procure
20 recycled paper and paper products as follows:

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

25 (2) Beginning July 1, 1992, at least 25% of the total
26 dollar value of paper and paper products purchased by the

1 Department of Central Management Services shall be
2 recycled paper and paper products.

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

7 (4) Beginning July 1, 2000, at least 50% of the total
8 dollar value of paper and paper products purchased by the
9 Department of Central Management Services shall be
10 recycled paper and paper products.

11 (e) Paper and paper products purchased from private vendors
12 pursuant to printing contracts are not considered paper
13 products for the purposes of subsection (d). However, the
14 Department of Central Management Services shall report to the
15 General Assembly on an annual basis the total dollar value of
16 printing contracts awarded to private sector vendors that
17 included the use of recycled paper.

18 (f) (1) Wherever economically and practically feasible, the
19 recycled paper and paper products referred to in subsection
20 (d) shall contain postconsumer or recovered paper
21 materials as specified by paper category in this
22 subsection:

23 (i) Recycled high grade printing and writing paper
24 shall contain at least 50% recovered paper material.
25 Such recovered paper material, until July 1, 1994,
26 shall consist of at least 20% deinked stock or

1 postconsumer material; and beginning July 1, 1994,
2 shall consist of at least 25% deinked stock or
3 postconsumer material; and beginning July 1, 1996,
4 shall consist of at least 30% deinked stock or
5 postconsumer material; and beginning July 1, 1998,
6 shall consist of at least 40% deinked stock or
7 postconsumer material; and beginning July 1, 2000,
8 shall consist of at least 50% deinked stock or
9 postconsumer material.

10 (ii) Recycled tissue products, until July 1, 1994,
11 shall contain at least 25% postconsumer material; and
12 beginning July 1, 1994, shall contain at least 30%
13 postconsumer material; and beginning July 1, 1996,
14 shall contain at least 35% postconsumer material; and
15 beginning July 1, 1998, shall contain at least 40%
16 postconsumer material; and beginning July 1, 2000,
17 shall contain at least 45% postconsumer material.

18 (iii) Recycled newsprint, until July 1, 1994,
19 shall contain at least 40% postconsumer material; and
20 beginning July 1, 1994, shall contain at least 50%
21 postconsumer material; and beginning July 1, 1996,
22 shall contain at least 60% postconsumer material; and
23 beginning July 1, 1998, shall contain at least 70%
24 postconsumer material; and beginning July 1, 2000,
25 shall contain at least 80% postconsumer material.

26 (iv) Recycled unbleached packaging, until July 1,

1 1994, shall contain at least 35% postconsumer
2 material; and beginning July 1, 1994, shall contain at
3 least 40% postconsumer material; and beginning July 1,
4 1996, shall contain at least 45% postconsumer
5 material; and beginning July 1, 1998, shall contain at
6 least 50% postconsumer material; and beginning July 1,
7 2000, shall contain at least 55% postconsumer
8 material.

9 (v) Recycled paperboard, until July 1, 1994, shall
10 contain at least 80% postconsumer material; and
11 beginning July 1, 1994, shall contain at least 85%
12 postconsumer material; and beginning July 1, 1996,
13 shall contain at least 90% postconsumer material; and
14 beginning July 1, 1998, shall contain at least 95%
15 postconsumer material.

16 (2) For the purposes of this Section, "postconsumer
17 material" includes:

18 (i) paper, paperboard, and fibrous wastes from
19 retail stores, office buildings, homes, and so forth,
20 after the waste has passed through its end usage as a
21 consumer item, including used corrugated boxes, old
22 newspapers, mixed waste paper, tabulating cards, and
23 used cordage; and

24 (ii) all paper, paperboard, and fibrous wastes
25 that are diverted or separated from the municipal solid
26 waste stream.

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

3 (i) postconsumer material;

4 (ii) dry paper and paperboard waste generated
5 after completion of the papermaking process (that is,
6 those manufacturing operations up to and including the
7 cutting and trimming of the paper machine reel into
8 smaller rolls or rough sheets), including envelope
9 cuttings, bindery trimmings, and other paper and
10 paperboard waste resulting from printing, cutting,
11 forming, and other converting operations, or from bag,
12 box and carton manufacturing, and butt rolls, mill
13 wrappers, and rejected unused stock; and

14 (iii) finished paper and paperboard from obsolete
15 inventories of paper and paperboard manufacturers,
16 merchants, wholesalers, dealers, printers, converters,
17 or others.

18 (g) The Department of Central Management Services may adopt
19 regulations to carry out the provisions and purposes of this
20 Section.

21 (h) Every State agency shall, in its procurement documents,
22 specify that, whenever economically and practically feasible,
23 a product to be procured must consist, wholly or in part, of
24 recycled materials, or be recyclable or reusable in whole or in
25 part. When applicable, if state guidelines are not already
26 prescribed, State agencies shall follow USEPA guidelines for

1 federal procurement.

2 (i) All State agencies shall cooperate with the Department
3 of Central Management Services in carrying out this Section.
4 The Department of Central Management Services may enter into
5 cooperative purchasing agreements with other governmental
6 units in order to obtain volume discounts, or for other reasons
7 in accordance with the Governmental Joint Purchasing Act, or in
8 accordance with the Intergovernmental Cooperation Act if
9 governmental units of other states or the federal government
10 are involved.

11 (j) The Department of Central Management Services shall
12 submit an annual report to the General Assembly concerning its
13 implementation of the State's collection and recycled paper
14 procurement programs. This report shall include a description
15 of the actions that the Department of Central Management
16 Services has taken in the previous fiscal year to implement
17 this Section. This report shall be submitted on or before
18 November 1 of each year.

19 (k) The Department of Central Management Services, in
20 cooperation with all other appropriate departments and
21 agencies of the State, shall institute whenever economically
22 and practically feasible the use of re-refined motor oil in all
23 State-owned motor vehicles and the use of remanufactured and
24 retread tires whenever such use is practical, beginning no
25 later than July 1, 1992.

26 (l) (Blank).

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

11 Proceeds from the sale of used aluminum cans shall be
12 deposited into I-CYCLE accounts maintained in the Facilities
13 Management State Surplus Property Revolving Fund and, subject
14 to appropriation, shall be used by the Department of Central
15 Management Services and any other State agency to offset the
16 costs of implementing the aluminum can recycling program under
17 this Section.

18 All State agencies having an aluminum can recycling program
19 in place shall continue with their current plan. If a State
20 agency has an existing recycling program in place, proceeds
21 from the aluminum can recycling program may be retained and
22 distributed pursuant to that program, otherwise all revenue
23 resulting from these programs shall be forwarded to Central
24 Management Services, I-CYCLE for placement into the
25 appropriate account within the Facilities Management State
26 Surplus Property Revolving Fund, minus any operating costs

1 associated with the program.

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

3 Section 99. Effective date. This Act takes effect July 1,
4 2008, except that Section 10 takes effect November 1, 2008.