

Legislative and Regulatory Update – August 12, 2009

Since the last Legislative Update dated July 12, 2009, we have a number of additional Bills enacted into Law by the 96th General Assembly that we have been tracking.

One of the most exciting Bill that we have been following, **HB 1013-GREEN BUILDINGS ACT**- is now **Public Act 96-0073**. It creates the Green Buildings Act, and requires that State-funded building construction and major renovations of existing State-owned facilities must meet certain energy and environmental standards of the Leadership in Energy and Environmental Design program rating system, the Green Building Initiative's Green Globes rating system, or an equivalent rating system. The Act also requires the Board to analyze and evaluate the Act's green building standards after the earlier of 5 years or the completion of 10 Board green projects. This Act is effective immediately.

HB 2437-SCHOOLS-GREEN CLEANING-Public Act 96-0075 now requires every State-owned building to establish a green cleaning policy whereby the building buys and uses only environmentally-sensitive cleaning products. Although the Act does exempt State-owned buildings from meeting the requirement if adhering to the requirement would not be economically feasible.

HB 1042 -GREEN GOVERNMENT-GRANT-Public Act 96-0074 makes changes to the Green Governments Illinois Act in who shall participate in the proposal review of the subgrant award processes conducted by the Department of Commerce and Economic Opportunity to distribute the portion of funds eligible for State government use under the federal Energy Independence and Security Act of 2007. It also provides that a designee of the Governor shall also participate in these processes and that no subgrant may be awarded unless the Governor's designee first approves that subgrant.

On the State Senate side, **SB 2184-WATER USE-HIGH CAPACITY WELLS**-became **Public Act 96-0222**. The Act defines "high-capacity well" and "high-capacity surface water intake." It requires persons seeking to develop a high-capacity well to notify the District before construction, and requires existing and proposed high-capacity wells to register with the District. The District may recommend that the Department of Agriculture restrict the quantity of water that a person may extract from high-capacity wells.

SB 2150-UTILITIES-RENEWABLE STDS- now **Public Act 96-0159**, creates the Illinois Power Agency Renewable Energy Resources Fund as a special fund in the State treasury for use by the Illinois Power Agency to procure renewable energy resources. The Act specifies the requirements for use of the Fund by the Agency; that the Planning and Procurement Bureau shall procure a specified amount of renewable energy resources that come from photovoltaics; allows for the creation of alternative bidding procedures to be used in procuring renewable energy resources; and contains provisions concerning energy efficiency and demand-response measures. An "alternative retail electric supplier" must also source electricity from clean coal facilities that meet specified criteria, Finally,

Public Act 96-0159 contains provisions concerning the renewable portfolio standard for “alternative retail electric suppliers” and electric utilities operating outside their service territories, including required standards, reports, and operations.

SB 1932-SOLID WASTE--USE OF COMPOST- Public Act 96-0077 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 and is effective immediately.

SB 1912-IFA-RENEWABLE ENERGY- Public Act 96-0045 initially sought to amend the Illinois Finance Authority Act by increasing the authorization for certain agricultural assistance by \$150,000,000 and authorizing bonds for "renewable energy resources projects", the final version of the Act made a technical change in a Section concerning official Acts of the Authority, meetings of the Authority and the Advisory Councils, and audits by the Auditor General.

Additional Policy Materials that may be of Interest:

In a continued effort to bring the Legislative Update closer to home, this month we **spotlight Manuel "Manny" Flores, Alderman of the 1st Ward in the City of Chicago**. First elected to the City Council in 2003, Alderman Flores has proven himself to be a leader in the area of sustainability and green economic initiatives. In addition to serving on the Energy, Environmental Protection and Public Utilities committees, Alderman Flores successfully worked towards passing legislation to improve the energy efficiency of business facilities and homes; to establish the Chicago Green Business Task Force; and the Building Green in the 1st Ward program which ensures new construction is environmentally-friendly, energy-efficient and of high-quality.

In May 2009, Alderman Flores, in collaboration with Mike Bueltmann of Clear Content and Comcast CN 100, launched GreenEconomyChicago.com. The website serves as a forum for citizen-driven policymaking and civic engagement by utilizing a Web 2.0 approach to organizing and delivering information. Green Economy Chicago serves as a platform intended to engage a variety of stakeholders to develop ideas into new business standards, policies, or laws that promote clean technology in economic development. This exciting tool brings policy discussion and participation to the “grass roots” level. Alderman Flores has also been working with the Chicago Housing Authority to re-develop Lathrop Homes, a 32-acre public housing community located in the Lakeview neighborhood. He has vigorously advocated for the re-development to follow Leadership in Energy and Environmental Design Neighborhood Development (LEED ND) gold or platinum guidelines. Alderman Flores strongly believes LEED ND should be adopted in the re-development of low-income and subsidized housing communities to provide working-class residents with healthier, more vibrant and sustainable neighborhoods. Alderman Flores looks forward to partnering with the United States Green Building Council in making Lathrop Homes a model community for future LEED ND development projects.

More information on the legislation can be found at ilga.gov. Information on the Illinois EPA / Pollution Control Board rules is at www.ipcb.state.il.us or contact Sean Ziadeh at seanziadeh@hotmail.com or by calling (248) 320-3208.