

Legislative and Regulatory Update – July 12, 2009

Since the last Legislative Update dated June 9, 2009, we have now the first three Senate Bills enacted into Law by the 96th General Assembly that we have been tracking.

SB1489 GREEN INFRASTRUCTURE ACT now Public Act 96-0026:

This Public Act requires the Illinois Environmental Protection Agency to adopt comprehensive storm water management rules that meet certain requirements by July 1, 2012; beginning in 2010, to implement a storm water permit fee program adequate to support the adoption and implementation of State storm water regulations; to establish a Statewide standard for storm water management programs in order to transition toward the use of green infrastructure as the predominant storm water management strategy.

SB1923 ENTERPRISE ZONE ACT-WIND FARMS now Public Act 96-0028:

Now businesses that intend to establish a new wind power facility in Illinois may be considered "high impact businesses" and qualify for certain occupation tax exemptions. Exempts businesses that intend to establish new wind power facilities from provisions of the Act requiring applicants for designation as high impact businesses to provide the Department with (i) the prospective plan for which 1,500 full-time jobs would be eliminated if the business is not designated and (ii) proof of alternative non-Illinois sites which would receive the proposed investment and job creation if the business is not designated, and from provisions of the Act concerning revocation of high impact business status.

SB2009 HIGHER ED-ENERGY CONSERVATION now Public Act 96-0016:

The Public University Energy Conservation Act now provides that, from the effective date of the amendatory Act until January 1, 2015, "energy conservation measure" includes a renewable energy center pilot project at Eastern Illinois University, provided that certain conditions are met. It also provides that these provisions are inoperative after January 1, 2015. This Act is effective immediately.

In addition to these significant enactments, the following Senate Bills have also been forwarded to the Governor:

SB 99 EPA-COMPOSTING FACILITIES
SB 125 EPA--DEBRIS--POPULATION REQ.
SB 2145 ENVIRONMENTAL-VARIOUS
SB 2150 UTILITIES-RENEWABLE STDS
SB 2184 WATER USE-HIGH CAPACITY WELLS
SB 1570 SCHOOL WIND/SOLAR GENERATION
SB 1932 SOLID WASTE--USE OF COMPOST

At this time several House Bills have been forwarded to the Governor for signing. The following are those House Bills with their respective Short Titles.

HB0170 PRIV SEWAGE/EPA-SRFCE DSCHRG

HB0402 PRIV SEWAGE ACT-SPECIAL FUND
HB0460 BONDS-LOCAL GOV-WASTEWATER
HB0629 EPA-NPDES-CONSTRUCTION-FEES
HB0722 UTILITIES-AGGREGATION-RESIDENT
HB0789 EPA-DUMPING-STRUCTURE/PROPERTY
HB0796 DCEO-LIHEAP TRANSFER
HB1013 GREEN BUILDINGS ACT
HB1042 GREEN GOVERNMENT-GRANT
HB1088 RADON--DEVICE APPROVAL
HB2437 SCHOOLS-GREEN CLEANING
HB2439 RADON TESTING AND DISCLOSURE
HB3746 CNTY CD/MUNI CD-WIND TOWER
HB3854 CARBON CAPTURE LEGISLATION COM
HB3987 ENERGY EFFICIENCY-RESIDENTIAL

Additional Policy Materials that may be of Interest:

For those of you interested in gaining more background on the issues raised with many of the policy decisions on the State and City level, you may be interested in a the series Beyond Burnham. This series airs on both WTTW's Chicago Tonight and WBEZ Chicago Public Radio.

Chicago Tonight shows at 7:00 p.m., but the series can easily be accessed any time by going to <http://www.wttw.com/main.taf?p=1,17>. Chicago Tonight's Chicago Matters: Beyond Burnham series topics include: Water Use Planning, Soil Reuse Ordinance, Wind Energy, Housing Deconstruction, High Speed Rail, the Starlight project—the "internet of the future", and calls to modernize the infrastructure of the Illinois Waterways system.

WBEZ National Public Radio's series Chicago Matters: Beyond Burnham can be accessed by visiting <http://www.chicagopublicradio.org/ChicagoMatters.aspx>. Although shorter than WTTW's spots, they cover different issues that include the debate over the best use for Chicago Lakefront property, as well as architectures role in Chicago's future.

We hope these resources are of value to you, and stay tuned for additional resources on local and state policy resources that you may find interesting.

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.