

## **Legislative and Regulatory Update–March 14, 2010**

Since our last Legislative Update dated February 10, 2010, the following bills have been introduced in the 96<sup>th</sup> General Assembly:

SB 3426-UTILITIES-NET METERING- expands the term "eligible renewable electrical generating facility" to include a generator powered by agricultural residues, untreated and unadulterated wood waste, landscape trimmings, and livestock manure. It would also require the measuring of the flow of electricity in both directions at the same rate through use of a single, bi-directional meter. It also deletes language with respect to net metering for non-residential customers. Electricity providers shall continue to carry over any excess kilowatt-hour credits earned and apply those credits to subsequent billing periods to offset any customer-generator consumption in those billing periods until all credits are used or until service is terminated. As of March 8, the bill has been re-referred to Assignments.

SB 3429-CDB-BUILDING ENERGY LABELS-sponsored by Sen. Michael Bond would amend the Capital Development Board Act by requiring the Board to initiate a study of building energy performance measures for the purposes of identifying a simple and easily understood label for a building or facility that indicates its energy use. No less than 10 buildings will serve as case studies, and the bill requires the Board to report its findings and recommendations to the General Assembly. The bill has been placed on Calendar Order of 3rd Reading for March 15, 2010. This is a bill we will watch closely!

On the House side of the General Assembly:

HB 5807-INC TAX-WIND TURBINE-has been assigned to the Revenue & Finance Committee as of February 22, 2010. This bill provides a tax credit to taxpayers who are wind turbine manufacturers equal to 30% of the Illinois income tax attributable to income from the sale of wind turbines. It is a one-time credit to the taxpayer and the credit may not reduce the taxpayer's liability to less than zero, nor be carried back, but may be carried forward and applied to the tax liability of the 3 taxable years following the excess credit year.

HB 5810-GREEN ENERGY BUSINESS ACT-also has been assigned to the Revenue & Finance Committee as of February 22, 2010. HB 5810 authorizes the Department of Commerce and Economic Opportunity to approve applications of businesses seeking designation as "Green Energy Businesses" defined as business that: (i) produces or manufactures components used in the production of electricity from renewable energy resources; (ii) has the capacity to produce and produces at least 5 megawatts of electricity from renewable energy resources each year; (iii) has the capacity to produce and produces no less than 30,000,000 gallons of biodiesel or ethanol each year. Green Energy Businesses are eligible for certain credits and exemptions under various taxing Acts.

HB 6047-ALTERNATE FUELS-HYBRID REBATE-sponsored by Rep. Sidney H. Mathias has been placed on Calendar Order of 3rd Reading as of March 11, 2010 and provides a rebate for the cost of converting a conventional vehicle or a hybrid vehicle (now, just a conventional vehicle) to an alternate fuel vehicle.

HB 6154-UTILITIES-SMART GRID TECH STDS-sponsored by Rep. Jay C. Hoffman and referred to the Rules Committee as of March 11, 2010, would require the Illinois Commerce Commission to adopt minimum standards for smart grid technology for electric service by rule and require electric utilities to comply with those standards. Governor Pat Quinn appointed Manuel Flores, former 1st Ward Alderman, to the ICC effective January 18, 2010. We have spotlighted his efforts for furthering a green economy, and we wish him best wishes in his new position.

HB 6155- GREEN BUILDINGS TASK FORCE-sponsored by Rep. Jay C. Hoffman would establish the Green Buildings Task Force within the Capital Development Board to evaluate the State's financial and environmental costs and achievements under the Green Building Act through fiscal year 2015 and as anticipated through fiscal year 2020. The Task Force will report its evaluation and recommendations for legislative changes to the Governor and General Assembly by December 31, 2016. The bill has been assigned to the State Government Administration Committee.

HB 6202 UTILITIES-NET METERING-sponsored by Rep. William D. Burns - Naomi D. Jakobsson - Elaine Nekritz - Kevin Joyce and Harry Osterman now placed on Calendar 2nd Reading would create the Net Metering Task Force, which would no later than January 1, 2011, submit a report to the General Assembly recommending legislative and programmatic changes to the existing net metering law that shall be necessary to overcome existing barriers to net metering development in the State.

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