



Illinois Municipal Utilities Association

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Memo

From: Ronald D. Earl, General Manager & CEO

To: IMUA members

Date: 4/8/2005

RE: General Assembly Update #6 – Non telecommunications issues

Overview: Deadline for getting bills out of the chamber in which they were introduced is next Friday. After that we will start the committee process again with hearings in the Senate on House bills and visa versa.

As we have in the past, we list below some bills you may wish to review. There are additions and deletions depending upon committee action. Please let us know if you have concerns about them, or if there are other bills you wish us to examine.

Municipal issues:

HB 112 and SB 474 – These bills would require units of government, under some circumstance, to fuel their diesel vehicles with so-called B2 diesel fuel (a 2% blend of biodiesel) if their trucks refuel from a bulk central refueling facility. Amendments have been offered to both and both bills on their respective chamber floors. The links to the bills are:

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=112&GAID=8&DocTypeID=HB&LegID=14255&SessionID=50&GA=94>

<http://www.ilga.gov/legislation/BillStatus.asp?DocTypeID=SB&DocNum=474&GAID=8&SessionID=50&LegID=17261>

Utility related issues:

SB 90 – Synthetic natural gas act. This bill would allow contracts between natural gas public utilities and plants that manufacture synthetic natural gas from coal and allow the cost to be included in rates under some circumstances. It is on third reading in the Senate. The link is below:

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=90&GAID=8&DocTypeID=SB&LegId=14731&SessionID=50&GA=94>

SB 566 – This bill would create a state authority with the power to finance and build new transmission facilities. It is opposed by the state's investor-owned electric utilities through their trade association (the Illinois Energy Association) and is supported by the coal industry, in particular by representatives of the Peabody Coal Company. It is believed that the bill is intended to finance transmission needed for the eventual operation of Peabody's Prairie State plant in southern Illinois. The bill was placed in a subcommittee created by the Environment and Energy Committee and it is expected that negotiation sessions between proponents and opponents will take place over the summer. The bill is now held in the Senate Chemical and Coal Subcommittee. The link is below:

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=566&GAID=8&GA=94&DocTypeID=SB&LegID=17467&SessionID=50>

HB 1364 – This bill would have placed new requirements on the owners of above ground petroleum storage tanks including unspecified fees and potential fines. It was opposed by a wide variety of groups and was killed in the State Government Administration Committee March 9. The link is below:

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=1364&GAID=8&DocTypeID=HB&LegId=16130&SessionID=50&GA=94>

HB 2347 – This bill restricts the amount of time a diesel truck of greater than 8,000 lbs. can idle, with some exceptions. The sponsor, Rep. Nekritz, drafted changes at the request of a number of entities. The new amendment now allows for up to 10 minutes of idling per hour, allows for exceeding those limits if the temperature is under 32 degrees Fahrenheit, and limits the authority of the bill to non-attainment areas in the state, specifically Cook, Dupage, Lake, Kane,

McHenry, Will, Madison, St. Clair, and Monroe counties, and parts of Grundy, Kendall and Randolph counties. The link is below:

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=2347&GAID=8&GA=94&DocTypeID=HB&LegID=17340&SessionID=50>

HB 1434 – This is a reintroduction of the Electricians’ Licensing Act. It contains the exemptions we sought for municipal systems. It remains in the Rules Committee.

The link is below:

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=1434&GAID=8&GA=94&DocTypeID=SB&LegID=18588&SessionID=50>

SB 2060 – This bill would not allow the shut off of a number of services, including electric and gas utilities, of active duty military personnel for non-payment. It covers all utility providers, including municipal and cooperatives. It also deals with many other services from insurance to cell phones. An amendment (#1) would require the service personnel to show his or her orders to active duty to receive benefits under the law. That amendment has yet to be adopted. The original bill is on the Senate floor. The link is below:

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=2060&GAID=8&GA=94&DocTypeID=SB&LegID=20493&SessionID=50>

HB 3694 and SB 2085– These bills came to our attention only after they had cleared their respective committees. They would not allow a municipality that has extended sewer or water service to another body politic in the state to subsequently require that body to annex into the municipality. They apparently stem from a dispute between the village of Bensenville and a park district in its vicinity. We continue to work with sponsors of both bills, the City of Springfield and others to tighten the language so that it more directly addresses the dispute and does not affect other municipalities. The links are below:

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=3694&GAID=8&GA=94&DocTypeID=HB&LegID=20175&SessionID=50>

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=2085&GAID=8&GA=94&DocTypeID=SB&LegID=20526&SessionID=50>

Environmental issues:

HB 634 – This bill would create a designation of Scenic River under the Department of Natural Resources. Only one segment of the rivers seems to impact our members, which is the portion of the Illinois River from Ottawa to Havana. This bill was widely opposed by a variety of interests. It did not clear committee and was sent back to the Rules Committee, essentially dead for the session. The link to the bill is below:

<http://www.ilga.gov/legislation/BillStatus.asp?DocNum=634&GAID=8&DocTypeID=HB&LegID=15047&SessionID=50&GA=94>

SB 109 – This bill would eliminate the annual fees related to discharges under NPDES permits for units of local government. The bill did not clear committee. The link is below:

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=0109&GAID=8&GA=94&DocTypeID=SB&LegID=15003&SessionID=50>

SB 761 – This is the industry preferred bill dealing with preservation of wetlands in Illinois. It cleared committee and is on the Senate floor. The link is below:

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=0761&GAID=8&GA=94&DocTypeID=SB&LegID=17795&SessionID=50>

That's it for now. We will have additional updates for you as they become necessary. Those of you who wish to have additional information on any bill can find it on the General Assembly's web site at <http://www.ilga.gov/legislation/default.asp>

And please feel free to call at any time.