



Illinois Municipal Utilities Association

919 South Spring Street
Springfield, IL 62704
217- 241- 3027 – Phone
217-241- 3037 – Fax

Memo

From: Ronald D. Earl, General Manager & CEO

To: IMUA members

Date: 4/18/2005

RE: General Assembly Update #7 – Non telecommunications issues

Overview: Deadline for getting bills out of the chamber in which they were introduced was last Friday. Now we will start the committee process again with hearings in the Senate on House bills and visa versa. The Senate is in session this week, but the House is not.

As we have in the past, we list below some bills you may wish to review. Please let us know if you have concerns about these or other bills.

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. Both bills have passed their respective chambers and are moved to the opposite chamber. 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 16 – This is new to our list. The bill was written by the Department of Commerce and Economic Development (DCEO) as Floor Amendment 1 to SB 16 (a shell) and was revealed only last week. It passed out of committee on Tuesday. Its intent, as we have been able to determine it, is to develop a pilot program that would allow DCEO to determine businesses that are either considering coming into the state or threatening to leave, have their host electric utility provide a cut in the businesses' electric costs, and reimburse that cut to the host utility through an income tax credit. It is written to include all segments of the industry, including municipal and cooperative systems. The problem is this - since municipal systems and rural cooperatives don't pay income taxes, the bill has no benefits for them. We have been in contact with the primary sponsor, Sen. Deanna Demuzio, and she seems willing to address our problems. We and our colleagues in the cooperatives will be meeting with her this week to have further discussions. Any changes will have to be made in the House, since the bill has cleared the Senate.

<http://www.ilga.gov/legislation/billstatus.asp?DocNum=0016&GAID=8&GA=94&DocTypeID=SB&LegID=14830&SessionID=50>

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 cleared the Senate is now in the House. 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 bill has cleared the House and been sent to the Senate. 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) requires the service personnel to show his or her orders to active duty to receive benefits under the law. That amendment was adopted and the bill has cleared the Senate and is now in the House. 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 as originally drafted 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. Thanks in great part to the efforts of the City of Springfield, amendments have been negotiated to the bills that narrow their effect. Under the amendments (which are identical in both the Senate and House versions) the bill now applies only to non-home rule communities. Also only the land actually owned by the unit of local government (formerly body politic) taking the water or sewer service is now able to avoid the annexation requirement. Both bills have passed in their original chambers and moved to the opposite chamber. 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 the Senate and has been sent to the House. 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.