

1 AMENDMENT TO SENATE BILL 2192

2 AMENDMENT NO. _____. Amend Senate Bill 2192 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Department of Commerce and Community
5 Affairs Law of the Civil Administrative Code of Illinois is
6 amended by changing Sections 605-65, 605-500, 605-525,
7 605-800, 605-810 605-900, 605-905, 605-910, and 605-915 as
8 follows:

9 (20 ILCS 605/605-65) (was 20 ILCS 605/46.52)

10 Sec. 605-65. Grants under Gang Control Grant Act. The
11 Department may ~~Te~~ award grants to community-based groups, as
12 defined in the Gang Control Grant Act.

13 (Source: P.A. 91-239, eff. 1-1-00.)

14 (20 ILCS 605/605-500) (was 20 ILCS 605/46.13)

15 Sec. 605-500. Business Assistance Office. To create a
16 Business Assistance Office to do the following:

17 (1) Provide information to new and existing businesses
18 for all State government forms and applications and make this
19 information readily available through a business permit
20 center. The Office shall not assume any regulatory function.
21 All State agencies shall cooperate with the business permit

1 center to provide the necessary information, materials, and
2 assistance to enable the center to carry out its function in
3 an effective manner. Each agency shall designate an
4 individual to serve as liaison to the center to provide
5 information and materials and to respond to requests for
6 assistance from businesses.

7 (2) Provide technical and managerial assistance to
8 entrepreneurs and small businesses by (i) contracting with
9 local development organizations, chambers of commerce, and
10 industry or trade associations with technical and managerial
11 expertise located in the State, whenever possible, and (ii)
12 establishing a network of small business development centers
13 throughout the State.

14 (3) Assess the fiscal impact of proposed rules upon
15 small business and work with agencies in developing flexible
16 regulations through a regulatory review program.

17 (4) Provide detailed and comprehensive assistance to
18 businesses interested in obtaining federal or State
19 government contracts through a network of local procurement
20 centers. The Department shall make a special and continuing
21 effort to assist minority and female owned businesses,
22 including but not limited to the designation of special
23 minority and female business advocates, and shall make
24 additional efforts to assist those located in labor surplus
25 areas. The Department shall, through its network of local
26 procurement centers, make every effort to provide
27 opportunities for small businesses to participate in the
28 procurement process. The Department shall utilize one or
29 more of the following techniques. These techniques are to be
30 in addition to any other procurement requirements imposed by
31 Public Act 83-1341 or by any other Act.

32 (A) Advance notice by the Department or other
33 appropriate State entity of possible procurement
34 opportunities should be made available to interested

1 small businesses.

2 (B) Publication of procurement opportunities in
3 publications likely to be obtained by small businesses.

4 (C) Direct notification, whenever the Department
5 deems it feasible, of interested small businesses.

6 (D) Conduct of public hearings and training
7 sessions, when possible, regarding State and federal
8 government procurement policies.

9 The Department of Central Management Services shall
10 cooperate with the Department in providing information on the
11 method and procedure by which a small business becomes
12 involved in the State or federal government procurement
13 process.

14 (5) (Blank). ~~Study--the--total-number-of-registrations,~~
15 ~~licenses,-and-reports-that-must--be--filed--in--order--to--do~~
16 ~~business--in-this-State,-seek-input-from-the-directors-of-all~~
17 ~~regulatory--agencies,-and--submit--a--report--on--how---this~~
18 ~~paperwork-might-be-reduced-to-the-Governor--and--the--General~~
19 ~~Assembly-no-later-than-January-1,-1985-~~

20 (Source: P.A. 91-239, eff. 1-1-00.)

21 (20 ILCS 605/605-525) (was 20 ILCS 605/46.55)

22 Sec. 605-525. Minority Controlled and Female Controlled
23 Business Loan Board. There is hereby created a Minority
24 Controlled and Female Controlled Businesses Loan Board,
25 hereinafter referred to as the Board, consisting of 6 members
26 appointed by the Governor with the advice and consent of the
27 Senate. No more than 3 members shall be of the same
28 political party. For the initial appointments to the Board,
29 3 members shall be appointed to serve a 2 year term and 3
30 members shall be appointed to serve a 4 year term. Successor
31 members shall serve for terms of 4 years.

32 The Board may ~~shall~~ maintain an office in each of the
33 following areas: Alexander or Pulaski County, East St. Louis,

1 and the City of Chicago. For the purpose of this Act, the
 2 terms "minority person", "female", "minority owned business"
 3 and "female owned business" shall have the definitions of
 4 those terms provided in Section 2 of the Business Enterprise
 5 for Minorities, Females, and Persons with Disabilities Act.

6 The Board ~~may shall~~ have the authority to make direct
 7 grants and low interest loans to minority controlled
 8 businesses and female controlled businesses in East St.
 9 Louis, the City of Chicago, and either Alexander County or
 10 Pulaski County from appropriations for that purpose to the
 11 Department. The Board ~~may shall~~ establish and publish
 12 guidelines to be followed in making the grants and loans.

13 Grant funds ~~may will~~ be allowed to reimburse businesses
 14 for expenses incurred in the preparation of proposals that
 15 are accepted for loan assistance and to maintain
 16 administering offices in each of the 4 target areas. Loan
 17 funds ~~may will~~ be awarded at a cost of no more than 3% per
 18 annum for up to 20 years to businesses that are existing or
 19 proposed.

20 (Source: P.A. 91-239, eff. 1-1-00.)

21 (20 ILCS 605/605-800) (was 20 ILCS 605/46.19a in part)
 22 Sec. 605-800. Training grants for skills in critical
 23 demand.

24 (a) Grants to provide training in fields affected by
 25 critical demands for certain skills may be made as provided
 26 in this Section.

27 (b) The Director may make grants to eligible employers
 28 or to other eligible entities on behalf of employers as
 29 authorized in subsection (c) to provide training for
 30 employees in fields for which there are critical demands for
 31 certain skills.

32 (c) The Director may accept applications for training
 33 grant funds and grant requests from: (i) entities sponsoring

1 multi-company eligible employee training projects as defined
 2 in subsection (d), including business associations, strategic
 3 business partnerships, institutions of secondary or higher
 4 education, large manufacturers for supplier network
 5 companies, ~~federal---Job---Training---Partnership---Act~~
 6 ~~administrative--entities--or--grant--recipients,~~ and labor
 7 organizations when those projects will address common
 8 training needs identified by participating companies; and
 9 (ii) individual employers that are undertaking eligible
 10 employee training projects as defined in subsection (d),
 11 including intermediaries and training agents.

12 (d) The Director may make grants to eligible applicants
 13 as defined in subsection (c) for employee training projects
 14 that include, but need not be limited to, one or more of the
 15 following:

16 (1) Training programs in response to new or
 17 changing technology being introduced in the workplace.

18 (2) ~~Job-linked training that-offers-special--skills~~
 19 ~~for--career--advancement--or-that-is-preparatory-for,~~ and
 20 ~~leads-directly-to,~~ jobs-with--definite--career--potential
 21 ~~and-long-term-job-security.~~

22 (3) Training necessary to implement total quality
 23 management or improvement or both management and
 24 improvement systems within the workplace.

25 (4) Training related to new machinery or equipment
 26 being installed in the workplace.

27 (5) Training of employees of companies that are
 28 expanding into new markets or expanding exports from
 29 Illinois.

30 (6) Basic, remedial, or both basic and remedial
 31 training of employees as a prerequisite for other
 32 vocational or technical skills training ~~or-as-a-condition~~
 33 ~~for-sustained-employment.~~

34 (7) Self-employment training of the unemployed and

1 underemployed with comprehensive, competency-based
2 instructional programs and services, entrepreneurial
3 education and training initiatives for youth-and adult
4 learners in cooperation with the Illinois Institute for
5 Entrepreneurial Education, training and education,
6 conferences, workshops, and best practice information for
7 local program operators of entrepreneurial education and
8 self-employment training programs.

9 (8) Other training activities or projects, or both
10 training activities and projects, related to the support,
11 development, or evaluation of job training programs,
12 activities, and delivery systems, including training
13 needs assessment and design.

14 (e) Grants shall be made on the terms and conditions
15 that the Department shall determine. No grant made under
16 subsection (d), however, shall exceed 50% of the direct costs
17 of all approved training programs provided by the employer or
18 the employer's training agent or other entity as defined in
19 subsection (c). Under this Section, allowable costs include,
20 but are not limited to:

21 (1) Administrative costs of tracking, documenting,
22 reporting, and processing training funds or project
23 costs.

24 (2) Curriculum development.

25 (3) Wages and fringe benefits of employees.

26 (4) Training materials, ~~including scrap product~~
27 ~~costs.~~

28 (5) Trainee travel expenses.

29 (6) Instructor costs, including wages, fringe
30 benefits, tuition, and travel expenses.

31 (7) Rent, purchase, or lease of training equipment.

32 (8) Other usual and customary training costs.

33 (f) The Director will ensure that a minimum of one
34 on-site grant monitoring visit is conducted by the Department

1 either during the course of the grant period or within 6
 2 months following the end of the grant period. The Department
 3 shall verify that the grantee's financial management system
 4 is structured to provide for accurate, current, and complete
 5 disclosure of the financial results of the grant program in
 6 accordance with all provisions, terms, and conditions
 7 contained in the grant contract.

8 (g) (Blank) ~~The--Director--may--establish-and-collect-a~~
 9 ~~schedule-of-charges-from-subgrantee-entities-and-other-system~~
 10 ~~users-under-federal-job-training-programs--for--participating~~
 11 ~~in--and--utilizing--the--Department's--automated-job-training~~
 12 ~~program-information-systems-if-the-systems-and-the--necessary~~
 13 ~~participation-and-utilization-are-requirements-of-the-federal~~
 14 ~~job-training-programs;--All-monies-collected-pursuant-to-this~~
 15 ~~subsection--shall--be--deposited--into--the--Title-III-Social~~
 16 ~~Security-and-Employment-Fund;--except-that-any-moneys-that-may~~
 17 ~~be-necessary-to-pay-liabilities-outstanding-as--of--June--30;~~
 18 ~~2000---shall--be--deposited--into--the--Federal--Job-Training~~
 19 ~~Information-Systems-Revolving-Fund.~~

20 (Source: P.A. 90-454, eff. 8-16-97; 91-239, eff. 1-1-00;
 21 91-476, eff. 8-11-99; 91-704, eff. 7-1-00.)

22 (20 ILCS 605/605-810) (was 20 ILCS 605/46.19a in part)
 23 Sec. 605-810. Reemployment of former employees. When
 24 the Department is involved in developing a federal or State
 25 funded training or retraining program for any employer, the
 26 Department will assist and encourage that employer in making
 27 every effort to reemploy individuals previously employed at
 28 the facility. ~~Further,--the-Department-will-provide-a-list-of~~
 29 ~~these--employees--to--the--employer--for--consideration---for~~
 30 ~~reemployment--and--will--report-the-results-of-this-effort-to~~
 31 ~~the--Illinois--Job--Training--Coordinating--Council.~~ This
 32 requirement shall be in effect when all of the following
 33 conditions are met:

1 (1) The employer is reopening, or is proposing to
2 reopen, a facility that was last closed during the
3 preceding 2 years.

4 (2) A substantial number of the persons who were
5 employed at the facility before its most recent closure
6 remain unemployed.

7 (3) The product or service produced by, or proposed
8 to be produced by, the employer at the facility is
9 substantially similar to the product or service produced
10 at the facility before its most recent closure.

11 (Source: P.A. 90-454, eff. 8-16-97; 91-239, eff. 1-1-00.)

12 (20 ILCS 605/605-900) (was 20 ILCS 605/46.6b)

13 Sec. 605-900. Construction loans to local governments for
14 revenue producing capital facilities. The Department may ~~Fe~~
15 make loans to units of local government for construction of
16 revenue producing capital facilities, subject to the terms
17 and conditions it deems necessary to ensure repayment.

18 (Source: P.A. 91-239, eff. 1-1-00.)

19 (20 ILCS 605/605-905) (was 20 ILCS 605/46.41b)

20 Sec. 605-905. Grants to local governments in connection
21 with federal prisons. The Department may ~~Fe~~ make grants to
22 units of local government for (i) land acquisition and all
23 necessary improvements upon or related thereto for the
24 purpose of facilitating the location of federal prisons in
25 Illinois and (ii) for the development of industrial or
26 commercial parks, or both, that are adjacent to or abut any
27 federal prison constructed in Illinois after January 9, 1990
28 (the effective date of Public Act 86-1017).

29 (Source: P.A. 91-239, eff. 1-1-00.)

30 (20 ILCS 605/605-910) (was 20 ILCS 605/46.56)

31 Sec. 605-910. Grants to municipalities for site

1 development along waterways. In cooperation with the
 2 Department of Transportation, the Department may ~~to~~ make
 3 grants and provide financial assistance to municipalities for
 4 site development along waterways in order to promote
 5 commercial and industrial development.

6 (Source: P.A. 91-239, eff. 1-1-00.)

7 (20 ILCS 605/605-915) (was 20 ILCS 605/46.45)

8 Sec. 605-915. Assisting local governments to achieve
 9 lower borrowing costs. The Department may ~~to~~ cooperate with
 10 the Illinois Development Finance Authority in assisting local
 11 governments to achieve overall lower borrowing costs and more
 12 favorable terms under Sections 7.50 through 7.61 of the
 13 Illinois Development Finance Authority Act, including using
 14 the Department's federally funded Community Development
 15 Assistance Program for those purposes.

16 (Source: P.A. 91-239, eff. 1-1-00.)

17 (20 ILCS 605/605-340 rep.)

18 (20 ILCS 605/605-345 rep.)

19 (20 ILCS 605/605-360 rep.)

20 (20 ILCS 605/605-505 rep.)

21 (20 ILCS 605/605-815 rep.)

22 Section 10. The Department of Commerce and Community
 23 Affairs Law of the Civil Administrative Code of Illinois is
 24 amended by repealing Sections 605-340, 605-345, 605-360,
 25 605-505, and 605-815.

26 (20 ILCS 655/12-1 rep.)

27 (20 ILCS 655/12-2 rep.)

28 (20 ILCS 655/12-3 rep.)

29 (20 ILCS 655/12-4 rep.)

30 (20 ILCS 655/12-5 rep.)

31 (20 ILCS 655/12-6 rep.)

1 (20 ILCS 655/12-7 rep.)

2 (20 ILCS 655/12-8 rep.)

3 (20 ILCS 655/12-9 rep.)

4 Section 15. The Illinois Enterprise Zone Act is amended
5 by repealing Sections 12-1, 12-2, 12-3, 12-4, 12-5, 12-6,
6 12-7, 12-8, and 12-9.

7 Section 20. The Rural Diversification Act is amended by
8 changing Sections 4 and 5 as follows:

9 (20 ILCS 690/4) (from Ch. 5, par. 2254)

10 Sec. 4. Powers of the Office. The Office has the
11 following powers, in addition to those granted to it by other
12 law, which it may exercise at the discretion of the Director
13 of Commerce and Community Affairs:

14 (a) To provide financing pursuant to the provisions of
15 this Act, from appropriations made by the General Assembly
16 from the General Revenue Fund, Federal trust funds, and the
17 Rural Diversification Revolving Fund created herein, to or on
18 behalf of rural business and agribusiness to promote rural
19 diversification.

20 (b) To provide financing in the form of direct loans and
21 grants from State funds for qualifying agricultural and rural
22 diversification projects independent of federal financial
23 participation, except that no grants from State funds shall
24 be made directly with a rural business.

25 (c) To provide financing in the form of direct loans,
26 grants, and technical assistance contracts from State funds
27 for qualifying agricultural and rural diversification
28 projects in coordination with federal financial participation
29 in the form of loan guarantees, direct loans, and grant and
30 technical assistance contract reimbursements.

31 (d) To consider in the award of State funded financing
32 the satisfaction of matching requirements associated with

1 federal financing participation and the maximization of
2 federal financing participation to the benefit of the rural
3 Illinois economy.

4 (e) To enter into agreements or contracts, accept funds
5 or grants, and cooperate with agencies of the Federal
6 Government, State or Local Governments, the private sector or
7 non-profit organizations to carry out the purposes of this
8 Act;

9 (f) To enter into agreements or contracts for the
10 promotion, application origination, analysis or servicing of
11 the financings made by the Office pursuant to this Act;

12 (g) To receive and accept, from any source, aid or
13 contributions of money, property or labor for the furtherance
14 of this Act and collect fees, charges or advances as the
15 Department may determine in connection with its financing;

16 (h) To establish application, notification, contract and
17 other procedures and other procedures and rules deemed
18 necessary and appropriate by the Office to carry out the
19 provisions of this Act;

20 (i) To foreclose any mortgage, deed of trust, note,
21 debenture, bond or other security interest held by the Office
22 and to take all such actions as may be necessary to enforce
23 any obligation held by the Office;

24 (j) To analyze opportunities and needs of rural
25 communities, primarily those communities experiencing farm
26 worker distress including consultation with regional
27 commissions, governments, or diversification organizations,
28 and work to strengthen the coordination of existing programs
29 offered through the Office, the Department of Agriculture,
30 the Department of Natural Resources, the Illinois Farm
31 Development Authority, the Cooperative Extension Service and
32 others for rural and agribusiness development and assistance;
33 and

34 (k) To cooperate with an existing committee comprised of

1 representatives from the Office, the Rural Affairs Council or
2 its successor, the Department of Agriculture, the Illinois
3 Farm Development Authority and others to coordinate
4 departmental policies with other State agencies and to
5 promote agricultural and rural diversification in the State.

6 (1) To exercise such other right, powers and duties as
7 are necessary to fulfill the purposes of this Act.

8 (Source: P.A. 89-445, eff. 2-7-96.)

9 (20 ILCS 690/5) (from Ch. 5, par. 2255)

10 Sec. 5. Agricultural and rural diversification
11 financing.

12 (a) The Office may provide ~~Office's~~ financing to or on
13 behalf of rural businesses or agribusinesses in the State.
14 The financing shall be for the purpose of assisting in the
15 cost of agricultural and rural diversification projects
16 including (i) acquisition, construction, reconstruction,
17 replacement, repair, rehabilitation, alteration, expansion or
18 extension of real property, buildings or machinery and
19 equipment but not the acquisition of unimproved land for the
20 production of crops or livestock; (ii) working capital items
21 including but not limited to, inventory, accounts receivable
22 and prepaid expenses; (iii) organizational expenses
23 including, but not limited to, architectural and engineering
24 costs, legal services, marketing analyses, production
25 analyses, or other professional services; (iv) needed
26 leasehold improvements, easements, and other amenities
27 required to prepare a site; (v) information, technical
28 support and technical assistance contracts to local officials
29 or not-for-profit agencies regarding private, state and
30 federal resources, programs or grant assistances and the
31 needs and opportunities for diversification; and (vi) when
32 conducted in cooperation with federal reimbursement programs,
33 financing costs including guarantee fees, packaging fees and

1 origination fees but not debt refinancing.

2 (b) Agricultural or rural diversification financing to a
3 rural business or agribusiness under this Act shall be used
4 only where it can be shown that the agricultural or rural
5 diversification project for which financing is being sought
6 has the potential to achieve commercial success and will
7 increase employment, directly or indirectly retain jobs, or
8 promote local diversification.

9 (c) The Office ~~may~~ shall establish an internal review
10 committee with the Director of the Rural Affairs Council, or
11 his designee, the Director of the Department of Agriculture,
12 or his designee, and the Director of the Illinois Farm
13 Development Authority, or his designee, as members to assist
14 in the review of all project applications.

15 (d) The Office shall not provide financing to a rural
16 business or agribusiness unless the application includes
17 convincing evidence that a specific agricultural or rural
18 diversification project is ready to occur and will only occur
19 if the financing is made. The Office shall also consider the
20 applicability of other state and federal programs prior to
21 financing any project.

22 (Source: P.A. 85-180.)

23 Section 30. The Energy Conservation and Coal Development
24 Act is amended by changing Section 3 as follows:

25 (20 ILCS 1105/3) (from Ch. 96 1/2, par. 7403)

26 Sec. 3. Powers and Duties.

27 (a) In addition to its other powers, the Department has
28 the following powers:

29 (1) To administer for the State any energy programs
30 and activities under federal law, regulations or
31 guidelines, and to coordinate such programs and
32 activities with other State agencies, units of local

1 government, and educational institutions.

2 (2) To represent the State in energy matters
3 involving the federal government, other states, units of
4 local government, and regional agencies.

5 (3) To prepare energy contingency plans for
6 consideration by the Governor and the General Assembly.
7 Such plans shall include procedures for determining when
8 a foreseeable danger exists of energy shortages,
9 including shortages of petroleum, coal, nuclear power,
10 natural gas, and other forms of energy, and shall specify
11 the actions to be taken to minimize hardship and maintain
12 the general welfare during such energy shortages.

13 (4) To cooperate with State colleges and
14 universities and their governing boards in energy
15 programs and activities.

16 (5) (Blank).

17 (6) To accept, receive, expend, and administer,
18 including by contracts and grants to other State
19 agencies, any energy-related gifts, grants, cooperative
20 agreement funds, and other funds made available to the
21 Department by the federal government and other public and
22 private sources.

23 (7) To investigate practical problems, seek and
24 utilize financial assistance, implement studies and
25 conduct research relating to the production, distribution
26 and use of alcohol fuels.

27 (8) To serve as a clearinghouse for information on
28 alcohol production technology; provide assistance,
29 information and data relating to the production and use
30 of alcohol; develop informational packets and brochures,
31 and hold public seminars to encourage the development and
32 utilization of the best available technology.

33 (9) To coordinate with other State agencies in
34 order to promote the maximum flow of information and to

1 avoid unnecessary overlapping of alcohol fuel programs.
 2 In order to effectuate this goal, the Director of the
 3 Department or his representative shall consult with the
 4 Directors, or their representatives, of the Departments
 5 of Agriculture, Central Management Services,
 6 Transportation, and Revenue, the Office of the State Fire
 7 Marshal, and the Environmental Protection Agency.

8 (10) To operate, within the Department, an Office
 9 of Coal Development and Marketing for the promotion and
 10 marketing of Illinois coal both domestically and
 11 internationally. The Department may use monies
 12 appropriated for this purpose for necessary
 13 administrative expenses.

14 The Office of Coal Development and Marketing shall
 15 develop and implement an initiative to assist the coal
 16 industry in Illinois to increase its share of the
 17 international coal market.

18 (11) To assist the Department of Central Management
 19 Services in establishing and maintaining a system to
 20 analyze and report energy consumption of facilities
 21 leased by the Department of Central Management Services.

22 (12) To consult with the Departments of Natural
 23 Resources and Transportation and the Illinois
 24 Environmental Protection Agency for the purpose of
 25 developing methods and standards that encourage the
 26 utilization of coal combustion by-products as value added
 27 products in productive and benign applications.

28 (13) (Blank). ~~To--provide-technical-assistance-and~~
 29 ~~information-to-sellers-and-distributors--of--storage--hot~~
 30 ~~water--heaters--doing--business--in-Illinois,--pursuant-to~~
 31 ~~Section-1-of-the-Hot-Water-Heater-Efficiency-Act.~~

32 (b) (Blank).

33 (c) (Blank).

34 (d) The Department shall develop a package of

1 educational materials regarding the necessity of waste
2 reduction and recycling to reduce dependence on landfills and
3 to maintain environmental quality. The materials developed
4 shall be suitable for instructional use in grades 3, 4 and 5.
5 The Department shall distribute such instructional material
6 to all public elementary and unit school districts no later
7 than November 1, of each year.

8 (e) (Blank). ~~The Department shall study the feasibility~~
9 ~~of requiring that wood and sawdust from construction waste,~~
10 ~~demolition projects, sawmills, or other projects or~~
11 ~~industries where wood is used in a large amount be shredded~~
12 ~~and composted, and that such wood be prohibited from being~~
13 ~~disposed of in a landfill. The Department shall report the~~
14 ~~results of this study to the General Assembly by January 1,~~
15 ~~1991.~~

16 (f) (Blank).

17 (g) (Blank). ~~The Department shall develop a program~~
18 ~~designated to encourage the recycling of outdated telephone~~
19 ~~directories and to encourage the printing of new directories~~
20 ~~on recycled paper. The Department shall work in conjunction~~
21 ~~with printers and distributors of telephone directories~~
22 ~~distributed in the State to provide them with any technical~~
23 ~~assistance available in their efforts to procure appropriate~~
24 ~~recycled paper. The Department shall also encourage~~
25 ~~directory distributors to pick up outdated directories as~~
26 ~~they distribute new ones, and shall assist any distributor~~
27 ~~who is willing to do so in finding a recycler willing to~~
28 ~~purchase the old directories and in publicizing and promoting~~
29 ~~with citizens of the area the distributor's collection~~
30 ~~efforts and schedules.~~

31 (h) The Department shall assist, cooperate with and
32 provide necessary staff and resources for the Interagency
33 Energy Conservation Committee, which shall be chaired by the
34 Director of the Department.

1 (i) The Department shall operate or manage within or
 2 outside of the Department a corn to ethanol research facility
 3 for the purpose of reducing the costs of producing ethanol
 4 through the development and commercialization of new
 5 production technologies, equipment, processes, feedstocks,
 6 and new value added co-products and by-products. This work
 7 shall be conducted under the review and guidance of the
 8 Illinois Ethanol Research Advisory Board chaired by the
 9 Director of the Department. The ethanol production research
 10 shall be conducted at the Corn to Ethanol Research Pilot
 11 Plant in cooperation with universities, industry, other State
 12 agencies, and the federal government.

13 (Source: P.A. 89-93, eff. 7-6-95; 89-445, eff. 2-7-96;
 14 90-304, eff. 8-1-97.)

15 Section 35. The Local Government Debt Offering Act is
 16 amended by changing Section 3 as follows:

17 (30 ILCS 375/3) (from Ch. 85, par. 843)

18 Sec. 3. The Department may ~~is authorized and directed to~~
 19 provide technical and advisory assistance regarding the
 20 issuance of long-term debt to those local governments whose
 21 governing bodies request such assistance. Such assistance may
 22 ~~shall~~ include, but need not be limited to: (1) advice on the
 23 marketing of bonds by local governments, (2) advisory review
 24 of proposed local government debt issues, including the
 25 rendering of opinions as to their legality, (3) conduct of
 26 training courses in debt management for local financial
 27 officers, and (4) promotion of the use by local government of
 28 such tools for sound financial management as adequate systems
 29 of budgeting, accounting, auditing, and reporting.

30 (Source: P.A. 77-1504.)

31 Section 40. The Comprehensive Solar Energy Act of 1977

1 is amended by changing Section 1.2 as follows:

2 (30 ILCS 725/1.2) (from Ch. 96 1/2, par. 7303)

3 Sec. 1.2. Definitions. As used in this Act:

4 (a) "Solar Energy" means radiant energy received from
5 the sun at wave lengths suitable for heat transfer,
6 photosynthetic use, or photovoltaic use.

7 (b) "Solar collector" means

8 (1) An assembly, structure, or design, including
9 passive elements, used for gathering, concentrating, or
10 absorbing direct or indirect solar energy, specially
11 designed for holding a substantial amount of useful
12 thermal energy and to transfer that energy to a gas,
13 solid, or liquid or to use that energy directly; or

14 (2) A mechanism that absorbs solar energy and
15 converts it into electricity; or

16 (3) A mechanism or process used for gathering solar
17 energy through wind or thermal gradients; or

18 (4) A component used to transfer thermal energy to
19 a gas, solid, or liquid, or to convert it into
20 electricity.

21 (c) "Solar storage mechanism" means equipment or
22 elements (such as piping and transfer mechanisms,
23 containers, heat exchangers, or controls thereof, and gases,
24 solids, liquids, or combinations thereof) that are utilized
25 for storing solar energy, gathered by a solar collector, for
26 subsequent use.

27 (d) "Solar energy system" means

28 (1) (a) A complete assembly, structure, or design
29 of a solar collector, or a solar storage mechanism, which
30 uses solar energy for generating electricity or for
31 heating or cooling gases, solids, liquids, or other
32 materials;

33 (b) The design, materials, or elements of a system

1 and its maintenance, operation, and labor components, and
2 the necessary components, if any, of supplemental
3 conventional energy systems designed or constructed to
4 interface with a solar energy system; and

5 (c) Any legal, financial, or institutional orders,
6 certificates, or mechanisms, including easements, leases,
7 and agreements, required to ensure continued access to
8 solar energy, its source, or its use in a solar energy
9 system, and including monitoring and educational elements
10 of a demonstration project.

11 (2) "Solar energy system" does not include

12 (a) Distribution equipment that is equally
13 usable in a conventional energy system except for
14 such components of such equipment as are necessary
15 for meeting the requirements of efficient solar
16 energy utilization; and

17 (b) Components of a solar energy system that
18 serve structural, insulating, protective, shading,
19 aesthetic, or other non-solar energy utilization
20 purposes, as defined in the regulations of the
21 Department; and

22 (c) Any facilities of a public utility used to
23 transmit or distribute gas or electricity.

24 (e) "Solar Skyspace" means

25 (1) The maximum three dimensional space extending
26 from a solar energy collector to all positions of the sun
27 necessary for efficient use of the collector.

28 (2) Where a solar energy system is used for heating
29 purposes only, "solar skyspace" means the maximum three
30 dimensional space extending from a solar energy collector
31 to all positions of the sun between 9 a.m. and 3 p.m.
32 Local Apparent Time from September 22 through March 22 of
33 each year.

34 (3) Where a solar energy system is used for cooling

1 purposes only, "solar skyspace" means the maximum three
 2 dimensional space extending from a solar energy collector
 3 to all positions of the sun between 8 a.m. and 4 p.m.
 4 Local Apparent Time from March 23 through September 21.

5 (f) (Blank). "Solar-skyspace-easement" means

6 (1) --a right, whether or not stated in the form of a
 7 restriction, easement, covenant, or condition, in any
 8 deed, will, or other instrument executed by or on behalf
 9 of any owner of land or solar skyspace or in any order of
 10 taking, appropriate to protect the solar skyspace of a
 11 solar collector at a particularly described location to
 12 forbid or limit any or all of the following where
 13 detrimental to access to solar energy:

14 (a) --structures on or above ground;

15 (b) --vegetation on or above the ground; or

16 (c) --other activity;

17 (2) --and which shall specifically describe a solar
 18 skyspace in three-dimensional terms in which the
 19 activity, structures, or vegetation are forbidden or
 20 limited or in which such an easement shall set
 21 performance criteria for adequate collection of solar
 22 energy at a particular location.

23 (g) (Blank). "Conventional Energy System" shall mean an
 24 energy system utilizing fossil fuel, nuclear or hydroelectric
 25 energy and the components of such system, including
 26 transmission lines, burners, furnaces, tanks, boilers,
 27 related controls, distribution systems, room or area units
 28 and other components.

29 (h) (Blank). "Supplemental Conventional Energy System"
 30 shall mean a conventional energy system utilized for
 31 providing energy in conjunction with a solar energy system
 32 that provides not less than ten percent of the energy for the
 33 particular end use. "Supplemental Conventional Energy System"
 34 does not include any facilities of a public utility used to

1 produce, transmit, distribute or store gas or electricity.

2 (i) (Blank). "Joint-Solar-Energy-System" shall mean a
3 solar energy system that supplies energy for structures or
4 processes on more than one lot or in more than one
5 condominium unit or leasehold, but not to the general public
6 and involving at least two owners or users.

7 (j) (Blank). "Unit of Local Government" shall mean
8 county, municipality, township, special districts, including
9 school districts, and units designated as units of local
10 government by law, which exercise limited governmental
11 powers.

12 (k) "Department" means the Illinois Department of
13 Commerce and Community Affairs or its successor agency.

14 (l) (Blank). "Public-Energy-Supplier" shall mean

15 (1) A public utility as defined in an Act
16 concerning Public Utilities, approved June 29, 1921, as
17 amended; or

18 (2) A public utility that is owned or operated by
19 any political subdivision or municipal corporation of
20 this State, or owned by such political subdivision or
21 municipal corporation and operated by any of its lessees
22 or operating agents; or

23 (3) An electric cooperative as defined in Section
24 10.19 of an Act concerning Public Utilities, approved
25 June 29, 1921, as amended.

26 (m) (Blank). "Energy-Use-Sites" shall mean sites where
27 energy is or may be used or consumed for generating
28 electricity or for heating or cooling gases, solids, liquids,
29 or other materials and where solar energy may be used cost
30 effectively, as defined in the regulations of the Department,
31 consistent with the purposes of this Act.

32 (Source: P.A. 89-445, eff. 2-7-96.)

- 1 (30 ILCS 725/2.2 rep.)
- 2 (30 ILCS 725/2.3 rep.)
- 3 (30 ILCS 725/3.1 rep.)
- 4 (30 ILCS 725/4.1 rep.)
- 5 (30 ILCS 725/5.1 rep.)
- 6 (30 ILCS 725/7.1 rep.)
- 7 (30 ILCS 725/7.2 rep.)
- 8 (30 ILCS 725/7.3 rep.)
- 9 (30 ILCS 725/7.4 rep.)
- 10 (30 ILCS 725/8.1 rep.)
- 11 (30 ILCS 725/8.2 rep.)

12 Section 45. The Comprehensive Solar Energy Act of 1977 is
 13 amended by repealing Sections 2.1, 2.2, 2.3, 3.1, 4.1, 5.1,
 14 7.1, 7.2, 7.3, 7.4, 8.1, and 8.2.

15 Section 50. The Eliminate the Digital Divide Law is
 16 amended by changing Sections 5-20 and 5-30 and by adding
 17 Section 5-50 as follows:

18 (30 ILCS 780/5-20)

19 Sec. 5-20. Digital Divide Elimination Fund. The Digital
 20 Divide Elimination Fund is created as a special fund in the
 21 State treasury. All moneys in the Fund shall be used, subject
 22 to appropriation by the General Assembly, by the Department
 23 for the Community Technology Grant Program grants-made-under
 24 Section 5-30-of-this-Act. All interest earned on moneys in
 25 the Digital Divide Elimination Fund shall be deposited into
 26 the Fund.

27 (Source: P.A. 92-22, eff. 6-30-01.)

28 (30 ILCS 780/5-30)

29 Sec. 5-30. Community Technology Grant Program.

30 (a) Subject to appropriation, the Department shall
 31 administer the Community Technology Center Grant Program

1 under which the Department shall make grants in accordance
2 with this Article for planning, establishment,
3 administration, and expansion of Community Technology Centers
4 and for assisting public hospitals, libraries, and park
5 districts in eliminating the digital divide. The purposes of
6 the grants shall include, but not be limited to, volunteer
7 recruitment and management, training and instruction,
8 infrastructure, and related goods and services for Community
9 Technology Centers and public hospitals, libraries, and park
10 districts. The total amount of grants under this Section in
11 fiscal year 2001 shall not exceed \$2,000,000, except that
12 this limit on grants shall not apply to grants funded by
13 appropriations from the Digital Divide Elimination Fund. No
14 ~~Community--Technology-Center-may-receive-a-grant-of-more-than~~
15 ~~\$50,000-under-this-Section-in-a-particular-fiscal-year.~~

16 (b) Public hospitals, libraries, park districts, and
17 State educational agencies, local educational agencies,
18 institutions of higher education, and other public and
19 private nonprofit or for-profit agencies and organizations
20 are eligible to receive grants under this Program, provided
21 that a local educational agency or public or private
22 educational agency or organization must, in order to be
23 eligible to receive grants under this Program, provide
24 computer access and educational services using information
25 technology to the public at one or more of its educational
26 buildings or facilities at least 12 hours each week. A group
27 of eligible entities is also eligible to receive a grant if
28 the group follows the procedures for group applications in 34
29 CFR 75.127-129 of the Education Department General
30 Administrative Regulations.

31 To be eligible to apply for a grant, a Community
32 Technology Center, public hospital, library, or park district
33 must serve a community in which not less than 40% of the
34 students are eligible for a free or reduced price lunch

1 under the national school lunch program or in which not less
2 than 30% of the students are eligible for a free lunch under
3 the national school lunch program; however, if funding is
4 insufficient to approve all grant applications for a
5 particular fiscal year, the Department may impose a higher
6 minimum percentage threshold for that fiscal year.
7 Determinations of communities and determinations of the
8 percentage of students in a community who are eligible for a
9 free or reduced price lunch under the national school lunch
10 program shall be in accordance with rules adopted by the
11 Department.

12 Any entities that have received a Community Technology
13 Center grant under the federal Community Technology Centers
14 Program are also eligible to apply for grants under this
15 Program.

16 The Department shall provide assistance to Community
17 Technology Centers in making those determinations for
18 purposes of applying for grants.

19 (c) Grant applications shall be submitted to the
20 Department not later than March 15 for the next fiscal year.

21 (d) The Department shall adopt rules setting forth the
22 required form and contents of grant applications.

23 (e) There is created the Digital Divide Elimination
24 Advisory Committee. The advisory committee shall consist of
25 5 members appointed one each by the Governor, the President
26 of the Senate, the Senate Minority Leader, the Speaker of the
27 House, and the House Minority Leader. The members of the
28 advisory committee shall receive no compensation for their
29 services as members of the advisory committee but may be
30 reimbursed for their actual expenses incurred in serving on
31 the advisory committee. The Digital Divide Elimination
32 Advisory Committee shall advise the Department in
33 establishing criteria and priorities for identifying
34 recipients of grants under this Act. The advisory committee

1 shall obtain advice from the technology industry regarding
2 current technological standards. The advisory committee
3 shall seek any available federal funding.

4 (Source: P.A. 91-704, eff. 7-1-00; 92-22, eff. 6-30-01.)

5 (30 ILCS 780/5-50 new)

6 Sec. 5-50. Collection of voluntary contributions. On
7 behalf of the Department of Commerce and Community Affairs,
8 the Department of Revenue is authorized to receive
9 contributions collected under Section 13-301.2 of the Public
10 Utilities Act (220 ILCS 5/13-301.2) for deposit into the
11 Digital Divide Elimination Fund.

12 (110 ILCS 205/9.25 rep.)

13 Section 55. The Board of Higher Education Act is amended
14 by repealing Section 9.25.

15 (315 ILCS 5/4 rep.)

16 Section 60. The Blighted Areas Redevelopment Act of 1947
17 is amended by repealing Section 4.

18 (315 ILCS 15/Act rep.)

19 Section 65. The Illinois Community Development Finance
20 Corporation Act is repealed.

21 Section 70. The Environmental Protection Act is amended
22 by changing Section 22.23 as follows:

23 (415 ILCS 5/22.23) (from Ch. 111 1/2, par. 1022.23)

24 Sec. 22.23. Batteries.

25 (a) Beginning September 1, 1990, any person selling
26 lead-acid batteries at retail or offering lead-acid batteries
27 for retail sale in this State shall:

28 (1) accept for recycling used lead-acid batteries

1 from customers, at the point of transfer, in a quantity
2 equal to the number of new batteries purchased; and

3 (2) post in a conspicuous place a written notice at
4 least 8.5 by 11 inches in size that includes the
5 universal recycling symbol and the following statements:
6 "DO NOT put motor vehicle batteries in the trash.";
7 "Recycle your used batteries."; and "State law requires
8 us to accept motor vehicle batteries for recycling, in
9 exchange for new batteries purchased."

10 (b) Any person selling lead-acid batteries at retail in
11 this State may either charge a recycling fee on each new
12 lead-acid battery sold for which the customer does not return
13 a used battery to the retailer, or provide a recycling credit
14 to each customer who returns a used battery for recycling at
15 the time of purchasing a new one.

16 (c) Beginning September 1, 1990, no lead-acid battery
17 retailer may dispose of a used lead-acid battery except by
18 delivering it (1) to a battery wholesaler or its agent, (2)
19 to a battery manufacturer, (3) to a collection or recycling
20 facility, or (4) to a secondary lead smelter permitted by
21 either a state or federal environmental agency.

22 (d) Any person selling lead-acid batteries at wholesale
23 or offering lead-acid batteries for sale at wholesale shall
24 accept for recycling used lead-acid batteries from customers,
25 at the point of transfer, in a quantity equal to the number
26 of new batteries purchased. Such used batteries shall be
27 disposed of as provided in subsection (c).

28 (e) A person who accepts used lead-acid batteries for
29 recycling pursuant to subsection (a) or (d) shall not allow
30 such batteries to accumulate for periods of more than 90
31 days.

32 (f) Beginning September 1, 1990, no person may knowingly
33 cause or allow:

34 (1) the placing of a lead-acid battery into any

1 container intended for collection and disposal at a
2 municipal waste sanitary landfill; or

3 (2) the disposal of any lead-acid battery in any
4 municipal waste sanitary landfill or incinerator.

5 (g) (Blank). ~~The Department of Commerce and Community~~
6 ~~Affairs shall identify and assist in developing alternative~~
7 ~~processing and recycling options for used batteries.~~

8 (h) For the purpose of this Section:

9 "Lead-acid battery" means a battery containing lead and
10 sulfuric acid that has a nominal voltage of at least 6 volts
11 and is intended for use in motor vehicles.

12 "Motor vehicle" includes automobiles, vans, trucks,
13 tractors, motorcycles and motorboats.

14 (i) (Blank). ~~The Department shall study the problems~~
15 ~~associated with household batteries that are processed or~~
16 ~~disposed of as part of mixed solid waste, and shall develop~~
17 ~~and implement a pilot project to collect and recycle used~~
18 ~~household batteries. The Department shall report its~~
19 ~~findings to the Governor and the General Assembly, together~~
20 ~~with any recommendations for legislation, by November 1,~~
21 ~~1991.~~

22 (j) Knowing violation of this Section shall be a petty
23 offense punishable by a fine of \$100.

24 (Source: P.A. 89-445, eff. 2-7-96.)

25 (415 ILCS 20/7.1 rep.)

26 Section 75. The Illinois Solid Waste Management Act is
27 amended by repealing Section 7.1.

28 (815 ILCS 355/Act rep.)

29 Section 80. The Hot Water Heater Efficiency Act is
30 repealed.

31 (815 ILCS 440/5 rep.)

1 (815 ILCS 440/6 rep.)

2 (815 ILCS 440/8 rep.)

3 Section 85. The Waste Oil Recovery Act is amended by
4 repealing Sections 5, 6, and 8.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law."