



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3482

by Rep. Robyn Gabel

SYNOPSIS AS INTRODUCED:

20 ILCS 896/20
20 ILCS 896/25

Amends the Lake Michigan Wind Energy Act. Provides that the Offshore Wind Energy Economic Development Policy Task Force shall report its findings to the Governor and General Assembly within 12 months of convening. Provides that the Department of Natural Resources shall adopt rules by which it may grant in the name of the State of Illinois permits and site leases with respect to public trust lands of Lake Michigan for the assessment of sites for offshore wind energy development. Provides that if the Department receives an application for such a site assessment permit and lease in advance of the adoption of such rules, the Department may grant such permit and lease, and in considering such application shall take into account the general principles set forth in the Act as well as existing environmental, marine, public infrastructure, transportation, and security uses and factors. Provides that in advance of rulemaking specific to the Act no site for which an assessment permit or lease is granted shall be within 3 miles of the shore of Lake Michigan, nor shall it include known breeding grounds or habitat of any avian species considered threatened or endangered under federal or State law. Effective immediately.

LRB101 11191 CPF 56435 b

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Lake Michigan Wind Energy Act is amended by
5 changing Sections 20 and 25 as follows:

6 (20 ILCS 896/20)

7 Sec. 20. Offshore Wind Energy Economic Development Policy
8 Task Force.

9 (a) The Governor shall convene an Offshore Wind Energy
10 Economic Development Policy Task Force, to be chaired by the
11 Director of Commerce and Economic Opportunity, or his or her
12 designee, to analyze and evaluate policy and economic options
13 to facilitate the development of offshore wind energy, and to
14 propose an appropriate Illinois mechanism for purchasing and
15 selling power from possible offshore wind energy projects. The
16 Task Force shall examine mechanisms used in other states and
17 jurisdictions, including, without limitation, feed-in tariffs,
18 renewable energy certificates, renewable energy certificate
19 carve-outs, power purchase agreements, and pilot projects. The
20 Task Force shall report its findings and recommendations to the
21 Governor and General Assembly within 12 months of convening ~~by~~
22 ~~December 31, 2013.~~

23 (b) The Director of the Illinois Power Agency (or his or

1 her designee), the Executive Director of the Illinois Commerce
2 Commission (or his or her designee), the Director of Natural
3 Resources (or his or her designee), and the Attorney General
4 (or his or her designee) shall serve as ex officio members of
5 the Task Force.

6 (c) The Governor shall appoint the following public members
7 to serve on the Task Force:

8 (1) one individual from an institution of higher
9 education in Illinois representing the discipline of
10 economics with experience in the study of renewable energy;

11 (2) one individual representing an energy industry
12 with experience in renewable energy markets;

13 (3) one individual representing a Statewide consumer
14 or electric ratepayer organization;

15 (4) one individual representing the offshore wind
16 energy industry;

17 (5) one individual representing the wind energy supply
18 chain industry;

19 (6) one individual representing an Illinois electrical
20 cooperative, municipal electrical utility, or association
21 of such cooperatives or utilities;

22 (7) one individual representing an Illinois industrial
23 union involved in the construction, maintenance, or
24 transportation of electrical generation, distribution, or
25 transmission equipment or components;

26 (8) one individual representing an Illinois commercial

1 or industrial electrical consumer;

2 (9) one individual representing an Illinois public
3 education electrical consumer;

4 (10) one individual representing an independent
5 transmission company;

6 (11) one individual from the Illinois legal community
7 with experience in contracts, utility law, municipal law,
8 and constitutional law;

9 (12) one individual representing a Great Lakes
10 regional organization with experience assessing or
11 studying wind energy;

12 (13) one individual representing a Statewide
13 environmental organization;

14 (14) one resident of the State representing an
15 organization advocating for persons of low or limited
16 incomes;

17 (15) one individual representing Argonne National
18 Laboratory; and

19 (16) one individual representing a local community
20 that has aggregated the purchase of electricity.

21 (d) The Governor may appoint additional public members to
22 the Task Force.

23 (e) The Speaker of the House of Representatives, Minority
24 Leader of the House of Representatives, Senate President, and
25 Minority Leader of the Senate shall each appoint one member of
26 the General Assembly to serve on the Task Force.

1 (f) Members of the Task Force shall serve without
2 compensation.

3 (Source: P.A. 98-447, eff. 8-16-13; 98-756, eff. 7-16-14.)

4 (20 ILCS 896/25)

5 Sec. 25. Assessment permits. ~~The~~ ~~After finalizing the wind~~
6 ~~energy siting matrix required under Section 15,~~ the Department
7 shall ~~may,~~ in accordance with ~~rules adopted by the Department~~
8 ~~pursuant to~~ Section 5-40 of the Illinois Administrative
9 Procedure Act ~~and with the written approval of the Governor,~~
10 adopt rules by which it may grant in the name of the State of
11 Illinois permits and site leases with respect to public trust
12 lands of Lake Michigan for the assessment of sites for offshore
13 wind energy development. If the Department receives an
14 application for such a site assessment permit and lease in
15 advance of the adoption of such rules, the Department may grant
16 the permit and lease, and, in considering the application,
17 shall take into account the general principles set forth in
18 Section 5 of this Act as well as existing environmental,
19 marine, public infrastructure, transportation, and security
20 uses and factors. In advance of rulemaking regarding this Act,
21 no site for which an assessment permit or lease is granted
22 shall be within 3 miles of the shore of Lake Michigan, nor
23 shall it include known breeding grounds or habitat of any avian
24 species considered threatened or endangered under federal or
25 State law.

1 (Source: P.A. 98-447, eff. 8-16-13.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.