



Rep. JoAnn D. Osmond

Filed: 3/5/2008

09500HB5932ham002

LRB095 17880 HLH 47733 a

1 AMENDMENT TO HOUSE BILL 5932

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5932, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Renewable Energy, Energy Efficiency, and  
6 Coal Resources Development Law of 1997 is amended by changing  
7 Section 6-3 as follows:

8 (20 ILCS 687/6-3)

9 (Section scheduled to be repealed on December 12, 2015)

10 Sec. 6-3. Renewable energy resources program.

11 (a) The Department of Commerce and Economic Opportunity, to  
12 be called the "Department" hereinafter in this Law, shall  
13 administer the Renewable Energy Resources Program to provide  
14 grants, loans, and other incentives to foster investment in and  
15 the development and use of renewable energy resources.

16 (b) The Department shall establish eligibility criteria

1 for grants, loans, and other incentives to foster investment in  
2 and the development and use of renewable energy resources.  
3 These criteria shall be reviewed annually and adjusted as  
4 necessary. The criteria should promote the goal of fostering  
5 investment in and the development and use, in Illinois, of  
6 renewable energy resources.

7 (c) The Department shall accept applications for grants,  
8 loans, and other incentives to foster investment in and the  
9 development and use of renewable energy resources.

10 (d) To the extent that funds are available and  
11 appropriated, the Department shall provide grants, loans, and  
12 other incentives to applicants that meet the criteria specified  
13 by the Department.

14 (e) The Department shall conduct an annual study on the use  
15 and availability of renewable energy resources in Illinois.  
16 Each year, the Department shall submit a report on the study to  
17 the General Assembly. This report shall include suggestions for  
18 legislation which will encourage the development and use of  
19 renewable energy resources.

20 (e-5) The Illinois Power Authority must develop a program  
21 to promote renewable energy and net metering options in the  
22 State in conjunction with the grant opportunities available  
23 through the Department under this Section.

24 (f) As used in this Law, "renewable energy resources"  
25 includes energy from wind, solar thermal energy, photovoltaic  
26 cells and panels, dedicated crops grown for energy production

1 and organic waste biomass, hydropower that does not involve new  
2 construction or significant expansion of hydropower dams, and  
3 other such alternative sources of environmentally preferable  
4 energy. "Renewable energy resources" does not include,  
5 however, energy from the incineration, burning or heating of  
6 waste wood, tires, garbage, general household, institutional  
7 and commercial waste, industrial lunchroom or office waste,  
8 landscape waste, or construction or demolition debris.

9 (g) There is created the Energy Efficiency Investment Fund  
10 as a special fund in the State Treasury, to be administered by  
11 the Department to support the development of technologies for  
12 wind, biomass, and solar power in Illinois. The Department may  
13 accept private and public funds, including federal funds, for  
14 deposit into the Fund.

15 (h) Notwithstanding any other rulemaking authority that  
16 may exist, neither the Governor nor any agency or agency head  
17 under the jurisdiction of the Governor has any authority to  
18 make or promulgate rules to implement or enforce the provisions  
19 of this amendatory Act of the 95th General Assembly. If,  
20 however, the Governor believes that rules are necessary to  
21 implement or enforce the provisions of this amendatory Act of  
22 the 95th General Assembly, the Governor may suggest rules to  
23 the General Assembly by filing them with the Clerk of the House  
24 and the Secretary of the Senate and by requesting that the  
25 General Assembly authorize such rulemaking by law, enact those  
26 suggested rules into law, or take any other appropriate action

1 in the General Assembly's discretion. Nothing contained in this  
2 amendatory Act of the 95th General Assembly shall be  
3 interpreted to grant rulemaking authority under any other  
4 Illinois statute where such authority is not otherwise  
5 explicitly given. For the purposes of this paragraph, "rules"  
6 is given the meaning contained in Section 1-70 of the Illinois  
7 Administrative Procedure Act, and "agency" and "agency head"  
8 are given the meanings contained in Sections 1-20 and 1-25 of  
9 the Illinois Administrative Procedure Act to the extent that  
10 such definitions apply to agencies or agency heads under the  
11 jurisdiction of the Governor.

12 (Source: P.A. 94-793, eff. 5-19-06.)".