



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB2326

Introduced 2/18/2009, by Rep. Dave Winters

SYNOPSIS AS INTRODUCED:

20 ILCS 805/805-15	was 20 ILCS 805/63a37
20 ILCS 2705/2705-20 new	
20 ILCS 2905/2	from Ch. 127 1/2, par. 2
415 ILCS 5/28.7 new	

Amends the Department of Natural Resources (Conservation) Law, the Department of Transportation Law, the State Fire Marshal Act, and the Environmental Protection Act. Requires that the rulemaking processes of the Department of Natural Resources, the Department of Transportation, the State Fire Marshal, the Pollution Control Board, and the Environmental Protection Agency include a process for expediting the issuance of permits and licenses for clean coal projects. Authorizes these State agencies to engage the experts and additional resources that are reasonably necessary for implementing this expedited process. Provides that the expedited process applies only upon the request of the applicant and that any additional costs for using that process shall be borne by the applicant. Effective immediately.

LRB096 08074 JDS 18180 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Department of Natural Resources
5 (Conservation) Law of the Civil Administrative Code of Illinois
6 is amended by changing Section 805-15 as follows:

7 (20 ILCS 805/805-15) (was 20 ILCS 805/63a37)

8 Sec. 805-15. Rules ~~and regulations~~.

9 (a) The Department has the power to adopt and enforce rules
10 ~~and regulations~~ necessary to the performance of its statutory
11 duties.

12 (b) These rules must include a process for expediting the
13 issuance of permits and licenses for clean coal projects. The
14 Department may engage the experts and additional resources that
15 are reasonably necessary for implementing this process. An
16 expedited process applies only upon the request of the
17 applicant, and any additional costs for using that process
18 shall be borne by the applicant.

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

20 Section 15. The Department of Transportation Law of the
21 Civil Administrative Code of Illinois is amended by adding
22 Section 2705-20 as follows:

1 (20 ILCS 2705/2705-20 new)

2 Sec. 2705-20. Administrative rules.

3 (a) The Department has the power to adopt and enforce rules
4 necessary to the performance of its statutory duties.

5 (b) These rules must include a process for expediting the
6 issuance of permits and licenses for clean coal projects. The
7 Department may engage the experts and additional resources that
8 are reasonably necessary for implementing this process. An
9 expedited process applies only upon the request of the
10 applicant, and any additional costs for using that process
11 shall be borne by the applicant.

12 Section 20. The State Fire Marshal Act is amended by
13 changing Section 2 as follows:

14 (20 ILCS 2905/2) (from Ch. 127 1/2, par. 2)

15 Sec. 2. The Office shall have the following powers and
16 duties:

17 1. To exercise the rights, powers and duties which have
18 been vested by law in the Department of State Police as the
19 successor of the Department of Public Safety, State Fire
20 Marshal, inspectors, officers and employees of the State
21 Fire Marshal, including arson investigation. Arson
22 investigations conducted by the State Fire Marshal's
23 Office shall be conducted by State Fire Marshal Arson

1 Investigator Special Agents, who shall be peace officers as
2 provided in the Peace Officer Fire Investigation Act.

3 2. To keep a record, as may be required by law, of all
4 fires occurring in the State, together with all facts,
5 statistics and circumstances, including the origin of
6 fires.

7 3. To exercise the rights, powers and duties which have
8 been vested in the Department of State Police by the
9 "Boiler and Pressure Vessel Safety Act", approved August 7,
10 1951, as amended.

11 4. To administer the Illinois Fire Protection Training
12 Act.

13 5. To aid in the establishment and maintenance of the
14 training facilities and programs of the Illinois Fire
15 Service Institute.

16 6. To disburse Federal grants for fire protection
17 purposes to units of local government.

18 7. To pay to or in behalf of the City of Chicago for
19 the maintenance, expenses, facilities and structures
20 directly incident to the Chicago Fire Department training
21 program. Such payments may be made either as reimbursements
22 for expenditures previously made by the City, or as
23 payments at the time the City has incurred an obligation
24 which is then due and payable for such expenditures.
25 Payments for the Chicago Fire Department training program
26 shall be made only for those expenditures which are not

1 claimable by the City under "An Act relating to fire
2 protection training", certified November 9, 1971, as
3 amended.

4 8. To administer General Revenue Fund grants to areas
5 not located in a fire protection district or in a
6 municipality which provides fire protection services, to
7 defray the organizational expenses of forming a fire
8 protection district.

9 9. In cooperation with the Illinois Environmental
10 Protection Agency, to administer the Illinois Leaking
11 Underground Storage Tank program in accordance with
12 Section 4 of this Act and Section 22.12 of the
13 Environmental Protection Act.

14 10. To expend state and federal funds as appropriated
15 by the General Assembly.

16 11. To provide technical assistance, to areas not
17 located in a fire protection district or in a municipality
18 which provides fire protection service, to form a fire
19 protection district, to join an existing district, or to
20 establish a municipal fire department, whichever is
21 applicable.

22 12. To exercise such other powers and duties as may be
23 vested in the Office by law.

24 13. To adopt all administrative rules that may be
25 necessary for the effective administration, enforcement,
26 and regulation of all matters for which the Department has

1 jurisdiction or responsibility. These rules must include a
2 process for expediting the issuance of permits and licenses
3 for clean coal projects. The Office may engage the experts
4 and additional resources that are reasonably necessary for
5 implementing this process. An expedited process applies
6 only upon the request of the applicant, and any additional
7 costs for using that process shall be borne by the
8 applicant.

9 (Source: P.A. 94-178, eff. 1-1-06; 95-502, eff. 8-28-07.)

10 Section 30. The Environmental Protection Act is amended by
11 adding Section 28.7 as follows:

12 (415 ILCS 5/28.7 new)

13 Sec. 28.7. Expedited process. The rules of the Agency and
14 Board must include a process for expediting the issuance of
15 permits and licenses for clean coal projects. The Agency and
16 Board may engage the experts and additional resources that are
17 reasonably necessary for implementing this process. An
18 expedited process applies only upon the request of the
19 applicant, and any additional costs for using that process
20 shall be borne by the applicant.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.