

Flooding

PA 95-0719 Flood Prevention District Act

A flood protection district may be designated in the counties of Monroe, Madison, and St. Clair. Provides that any request for a construction contract of more than \$10,000 by the board of a flood prevention district must be submitted for approval to the county board of the county in which the district is situated. Makes changes to a Section concerning a retailers' occupation tax imposed by a flood prevention district. Amends the Illinois Drainage Code and the Metro-East Sanitary District Act of 1974. If the territory of a drainage district, levee district, or sanitary district overlaps with the territory of a flood prevention district, the drainage district, levee district, or sanitary district shall operate under the direction of the board of commissioners of the flood prevention district with respect to the repair, construction, or reconstruction of levees.

At least one commissioner of a flood protection district shall reside or own property that is located within a floodplain situated in the territory of the flood protection district. Further amends the Illinois Drainage Code. Flood prevention districts, and overlapping drainage, levee, and sanitary districts, must operate at the direction of the county board. Authorizes a flood prevention district, at the direction of the county board, to utilize property controlled by a drainage, levee, or sanitary district. Drainage, levee, and sanitary districts are not precluded from the normal operation and maintenance of their levees if it does not interfere with the work of the flood prevention district.

PA 95-0723 Revises the Flood Prevention District Act

A flood prevention district has the power to reimburse any county for costs advanced by the county for expenses that would have otherwise been paid out of the County Flood Prevention

Occupation Tax Fund had the Fund been established at the time of the expenditure (instead of before the formation of a flood prevention district). A limit on the amount of excess funds that may be withdrawn by a sanitary district from the Local Governmental and Governmental Employees Tort Immunity Fund. If Senate Bill 2052 becomes law, amends the Local Governmental and Governmental Employees Tort Immunity Act. Provides that a tort immunity tax may be levied to pay the costs authorized by the Metro-East Sanitary District Act of 1974.

Railroads

95-0122 Suburban Railroad Redevelopment

Creates the Southwest Suburban Railroad Redevelopment Authority in the townships of Bloom, Thornton, Calumet, Bremen, Orland, Worth, Palos and Rich. Allows the Authority to acquire, sell, and exchange property and to accept grants, loans, and appropriations in order to relocate railroads and roadways and to separate railroad grade crossings. The Railroad Authority will be governed by a 5-member Board appointed by the Governor with appointments by the Illinois Secretary and Treasurer.

PA 95-0641 Railroad Authority

The Board of Commissioners of an airport authority in Winnebago County may establish a Rail Authority. The Rail Authority will be governed by a Board of Directors consisting of the Board of Commissioners of the airport authority and may include certain other members. Allows the airport authority to issue bonds for the benefit of the Rail Authority. Sets forth the powers of the Rail Authority including the power to issue bonds.

Finance & Taxes

95-0218 Forest Preserve – Repair Fund

A forest preserve district may establish a separate fund for capital improvements, repairs, or replacements. The amount accumulated in the fund shall not exceed 0.02% of the equalized assessed value of taxable property in the district. Also provides for the distribution of surplus moneys.

95-0227 Study of TIF and Tax Bill

Requires the Department of Revenue to conduct a study to determine the feasibility for each county to include, on the property tax bills for each taxpayer in that county, and information concerning any tax increment financing project that affects the taxpayer. The information to be included on the tax bill. Requires the Department to submit a report to the Governor and the General Assembly no later than April 1st.

95-0544 Non-Home Rule Municipal Retailers' Occupation Tax Act in the Illinois Municipal Code.

A municipality that has not otherwise imposed home rule occupation and use taxes may impose those taxes if they are limited to a defined geographic area within the municipality and limited to taxes at a rate not to exceed 2% on alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption. The geographic area must be a defined, contiguous area of no more than one square mile. At the time the ordinance imposing the tax is adopted, the municipality must have obtained the certified written consent of three-fourths of the operators of the businesses upon which the taxes will be imposed. Proceeds of the taxes must be maintained by the municipality in a separate account and may be used only for the costs associated with land acquisition, design, construction, and maintenance of parking facilities within the defined geographic area. The tax may not be imposed for longer than 25 years.

In addition to any other tax, a home rule municipality that has not imposed a tax under certain Sections of the Illinois Municipal Code may impose a tax on the gross receipts from the sale of alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption. The tax may be imposed only for a defined and limited period of time (not to exceed 25 years) and must be limited to a contiguous area of no more than one square mile within the municipality. The tax may be imposed only in 0.25% increments, and the rate of tax may not exceed 2%. At the time the ordinance imposing the tax is adopted, the municipality must have obtained the certified written consent of three-fourths of the operators of the businesses upon which the taxes will be imposed. Proceeds of the taxes must be maintained by the municipality in a separate account and may be used only for the costs associated with land acquisition, design, construction, and maintenance of parking facilities. The tax must be administered by the municipality imposing it.

95-0135 Property Tax – Subdivision Assess

In provisions concerning the platting and subdividing of property into lots with streets and other improvements in counties of less than 3,000,000 inhabitants, provides that the property must be in excess of 5 acres (now, 10 acres) at the time of platting for there not to be an increase in the assessed valuation.

Natural landscapes

95-0020 Rivers, Dams and Buoys

Requires the Department of Natural Resources to adopt emergency rules under the Illinois Administrative Procedure Act to require the immediate marking of each dam the Department considers dangerous with signs and buoys warning the public of the hazards posed by the dam.

95-0474 County Code – Sale tax

Allows the county to include a sunset provision for the tax. Certain additional information must be included on a ballot proposing an increase in local sales tax for public safety purposes or road improvement purposes (now, that information may be included).

Rural

95-0089 Rural Seniors – Task Force

Requires the Department on Aging to gather information about the special needs of older rural residents and to evaluate the adequacy and accessibility of existing programs for older rural residents. Creates the Older Rural Adults Task Force to gather information and make recommendations. The Task Force may hold regional hearings and shall submit a report to the General Assembly no later than January 1, 2009. The Task Force shall be dissolved upon the submission of the report.

95-0111 Forest Preserve District Condemnation

Property in which a forest preserve district is the grantee of a conservation easement or a conservation right shall not be subject to condemnation proceedings, with certain exceptions.

Environmental Issues

95-0121 EPA – Reclaimed Asphalt Pavement

Revises the definition of "waste", reclaimed asphalt pavement is not speculatively accumulated if it is returned to the economic mainstream within 4 years after the date of its generation or if a properly executed bond, that has been approved by the EPA Director, exists between the owner of the reclaimed asphalt pavement and the Agency for the removal of the reclaimed asphalt pavement.

95-0125 MWRD – Water Quality Projects

Updates the term "construction purposes" to include water quality improvement projects. The District may issue bonds for the purpose of replacing, remodeling, completing, altering, constructing and enlarging water quality improvement projects.

95-0131 EPA – Pollution Control Facility

Excludes certain wood-fired and biomass-fired boiler facilities, or portions thereof, from the definition of "pollution control facility". Certain sites or facilities used for wood combustion facilities (instead of wood or biomass boiler facilities) for energy recovery that accept and burn only wood material (instead of specified types of wood products and wood material) are not included in the definition of "pollution control facility".

PA 95-0516 EPA – NPDES Discharge Fees

Creates a fee exception for construction site storm water discharges for which a new NPDES permit is issued during the months of January through June. States that no annual fee shall be due for the 12 months beginning July 1 that immediately follow the period for which the initial annual fee was due. Allows the EPA to provide for the refund of permit fees. Requires a Section 401 state water quality authorization applicant to submit the fee prior to certification (now, the fee must be submitted with the application).

PA 95-0517 Debt Reform – Water Loans

Exempts the Water Pollution Control Loan Program and the Public Water Supply Loan Program from the statutory time limitations set for bonds authorized by referendum or backdoor referendum.

Provides that whenever the applicable law provides that the authorization of or the issuance of bonds under the Water Pollution Control Loan Program or the Public Water Supply Loan Program, under Title IV-A of the Environmental Protection Act, is subject to either a referendum or backdoor referendum, the approval, once

obtained, remains (i) for 7 years after the date of the referendum or (ii) for 5 years after the end of the petition period for a backdoor referendum. .

PA 95-0114 Water Commission Territory

Certain units of local government may change their status from being an included unit within a county water commission to being an excluded unit. If the unit of local government changes its status, it can no longer demand future service from the county water commission and may not be reinstated as an included unit. Also, if a unit of local government switches status, the water commission must transfer to the unit of local government any funds collected from that unit of local government since January 1, 2006.

95-0132 Wabash and Ohio Rivers Coordinating Council Act.

Creates the Council and provides the guidelines for membership and the terms of the members along with the powers and duties of the Council.

Economic Development

95-0056 DCEO – Economic Development

When awarding grants for any economic development purpose, DCEO must consider (i) reserving and targeting State business incentives to areas with high unemployment or low income and (ii) if the applicant seeking the grant is located in a metropolitan area, whether that metropolitan area meets location efficiency standards.

95-0197 County - Economic Development

A county may appropriate funds from the county treasury and expend those funds for economic development purposes.

95-0494 Amends the State and Regional Development Strategy Act

Authorizes DCEO to conduct a study regarding the creation of advanced sciences zones and

other policy proposals to encourage the creation of technology jobs in the State. The report must be made available to members of the General Assembly no later than January 1, 2008.

Requires that, in conducting the research and in formulating its recommendations, DCEO must consult with the appropriate committees of the Senate and House of Representatives, and requires the Department to review and consider strategies, programs, and practices that have been implemented in other states and to seek and consider the views and recommendations of both the public and private sectors.

95-0557 Community Self- Revitalization Act

A municipality, county, or any combination of municipalities and counties that are certified as an economically distressed community or communities by DCEO, in order to receive the assistance as provided under this Act, may appoint a Board of Economic Advisors. Up to 18 Board members may be appointed from the bill's vital community redevelopment sectors (now, the Board shall consist of members appointed from those 18 sectors). Staggers the terms of initial appointees and provides that subsequent appointees shall serve 5-year terms.

The Board shall create a 3-year to 5-year revitalization plan for the community containing distinct, measurable objectives for revitalization. May be subject to appropriation, make grants to communities to create a Board of Economic Advisors under the Act for the operational expenses of the Board. DCEO shall advise Boards of available funding and assist Boards in securing this funding.

Historic Sites

95-0156 Historic Sites – Business Plans

The Historic Preservation Agency shall create a business plan, addressing ways to enhance tourism and the historical aspect of historic sites,

for each historic site related to Abraham Lincoln. The Agency may seek assistance from DCEO when creating the business plans. Establishes a deadline for completion of the business plans.

Global Warming & Alternative Energies

95-0203 Zoning – Wind Farms

A county may establish standards for wind farms and electric-generating wind devices. A county may regulate the siting of wind farms and electric-generating wind devices in unincorporated areas of the county outside of the zoning jurisdiction of a municipality and the 1.5 mile radius surrounding the zoning jurisdiction of a municipality. A municipality may regulate wind farms and electric-generating wind devices within its zoning jurisdiction and within the 1.5 mile radius surrounding its zoning jurisdiction. There must be at least one public hearing not more than 30 days prior to a siting decision by a county or municipality. Authorizes test wind towers for up to 3 years.

Any provision of a county zoning ordinance pertaining to wind farms that is in effect before the effective date of this amendatory Act of the 95th General Assembly may continue in effect notwithstanding certain other requirements set forth in the bill.

95-0453 Illinois Cool Cities Act

The EPA shall provide technical assistance, if needed, to units of local government in the State that have endorsed the U.S. Conference of Mayors Climate Protection Agreement. Any unit of local government may request designation as an Illinois Cool City if the unit of local government has (i) endorsed the U.S. Conference of Mayors Climate Protection Agreement and (ii) prepared and approved a plan to achieve a 7% reduction in greenhouse gas emissions from 1990 levels by the year 2012. Designation of Illinois Cool Cities upon certain findings by the EPA Director.

95-0470 Illinois Finance Authority – Loans/Bonds

Updates the definition of "Clean coal and energy projects" to include new electric generating facilities or new gasification facilities (instead of "new facilities"). Loans made from the Fire Truck Revolving Loan Fund and the Ambulance Revolving Loan Fund may include program fees or other costs related to the processing of the loan. The amount of those fees and costs shall be mutually agreed upon by the Authority and the State Fire Marshal.

PA 95-0657 Green Governments Illinois Act.

Creates the Green Governments Coordinating Council. Gives the Council the authority to solicit and receive grants to fulfill the Council's functions and to solicit, use, and publish advice and information to assist in the Council's duties. Participation in the Green Governments Illinois program by units of State and local government and educational institutions is voluntary.

Provides that the Governor shall appoint a chair or co-chairs of the Green Governments Coordinating Council (instead of providing that the Lieutenant Governor shall serve as the chair). The Lieutenant Governor is a member of the Council. DCEO, EPA and CMS shall provide administrative support to the Council.

PA-0099 SIU Corn to Ethanol Research

The Illinois Ethanol Research Advisory Board shall establish and operate, subject to specific appropriation for the purpose of providing facility operating funds, the National Corn-to-Ethanol Research Center at Southern Illinois University at Edwardsville as a State Biorefining Center of Excellence. Sets forth the purposes and goals of the Center.

95-0139 Partners for Conservation Fund and the Partners for Conservation Projects Fund.

Authorizes use of funds for planning, preservation, and water protection, to partner

with private landowners, government, and not-for-profit organizations. Eliminates the Department of Transportation as authorized to use funds. Authorizes transfers from GRF to the Funds through 2021 (now, 2009).

PA 95-0170 DCEO – Smart Green Grants

DCEO shall make grants to municipalities whose buildings conform with nationally recognized and accepted green building guidelines, standards, or systems (instead of the LEED rating system).

PLANNING

PA 95-0631 For state highway purposes

Authorizes IDOT to convey described parcels in Cook, Madison, Tazewell, and St. Clair Counties. Authorizes the IDOT to release or restore various described easements acquired by the State for highway purposes in Bond, Brown, Champaign, Christian, Cook, DeWitt, Effingham, Grundy, Kendall, Lake, LaSalle, Macon, Madison, McLean, Rock Island, Sangamon, Tazewell, Winnebago, and Woodford Counties.

95-0633 Unimproved land in the property tax code.

Adds a Division concerning the valuation of unimproved land. Unimproved land of 5 acres or more that is subject to a conservation management plan is valued at 5% of its fair cash value. Sets forth procedures for the valuation of the land. Beginning with the 2007 assessment year, wooded land that is owned by the taxpayer on October 1, 2007 must be assessed at the same level as its 2006 assessment level until the land is sold or otherwise transferred. Defines "wooded land" as any parcel of unimproved real property that is timberland and that: (1) does not qualify as cropland, permanent pasture, other farmland, or wasteland; (2) is not managed under a forestry management plan so as to be considered as "other farmland"; and (3) is not managed land.

In the Conservation Stewardship Law, special valuation procedures for managed land do not apply to land used for nature preserves. Deletes provisions concerning the assessment of other wooded land that is not managed land. Creates the Wooded Acreage Assessment Transition Law as a Division in the Property Tax Code. Sets forth preferential assessment procedures for wooded acreage that was classified as farmland during the 2006 assessment year. The preferential assessment continues until the property is transferred or no longer qualifies as wooded acreage. The preferential assessment does not apply to property within Cook County.

95-0677 Comprehensive Regional Planning Fund

Requires an annual transfer of \$5,000,000 from the General Revenue Fund to the Comprehensive Regional Planning Fund. Requires IDOT, subject to appropriation, annually distribute lump sums from the fund all the MPO's, and the State's rural planning agencies. Specifies the formula for distributions among these entities and fund are to be used for comprehensive regional planning purposes.

Renames the Regional Planning Board as the Board of the Chicago Metropolitan Agency for Planning (CMAP). Requires the CMAP Board to create a wastewater planning committee and provides for the chairmanship of that committee. Enhances CMAP's powers and duties, including requiring CMAP to develop a comprehensive regional plan. Repeals the Northeastern Illinois Planning Act.

95-0271 IDOT – School Entrance Road

IDOT shall evaluate, fund, and repair within the right-of-way (instead of evaluate, fund, repair, and upgrade) the entrances to public educational facilities that border State highways.

95-0175 Local Government – Annexation

In certain counties, if property that is the subject of an annexation agreement is located more than 1.5 miles from the corporate boundaries of

the annexing municipality, that property is subject to the ordinances, control, and jurisdiction of the annexing municipality unless the county board retains jurisdiction by the affirmative vote of two-thirds of its members. If the county board retains jurisdiction, the annexing municipality may file a request for jurisdiction with the county board on a case by case basis. If the county board agrees by the affirmative vote of a majority of its members, then the property shall be subject to the ordinances, control, and jurisdiction of the annexing municipality.

In Boone, DeKalb, Grundy, Kankakee, Kendall, LaSalle, Ogle, or Winnebago County (instead of a county borders a county that borders a county with a population of more than 3,000,000), if property that is the subject of an annexation agreement is located more than 1.5 miles from the corporate boundaries of the annexing municipality, that property is subject to the ordinances, control, and jurisdiction of the annexing municipality unless the county board retains jurisdiction by the affirmative vote of two-thirds of its members.

95-0475 Municipal Code – Design review

The corporate authorities in each municipality may establish local standards solely for the review of the exterior design of buildings and structures, excluding utility facilities and outdoor off-premises advertising signs, and may designate a board or commission to implement the review process.

Technology

95-0684 High Speed Internet Services and Information Technology Act

DCEO shall enlist a nonprofit corporation to implement a comprehensive, statewide high speed Internet deployment strategy and demand creation initiative. Specifies the duties of the nonprofit organization, including the functions of

the Department in administering the High Speed Internet Services and Information Technology Fund. Nothing in the High Speed Internet Services and Information Technology Act shall be construed as giving DCEO, the nonprofit organization, or other entities any additional authority, regulatory or otherwise, over providers of telecommunications, broadband, and information technology. Creates the High Speed Internet Services and Information Technology Fund as a special fund in the State treasury, to be used, subject to appropriation, by the Department for purposes of providing grants to the nonprofit organization enlisted under the Act. \$4 million in the Digital Divide Elimination Infrastructure Fund shall be transferred to the High Speed Internet Services and Information Technology Fund. Contains other provisions concerning local governmental entities who undertake local broadband projects.

Transportation

95-0708 Public Transportation Funding

Requires RTA to provide financial oversight of the Service Boards, allocate operating and capital funds made available to support public transportation in the metropolitan region, and undertake certain planning functions. The RTA shall adopt a Strategic Plan, a Five-Year Capital Program, and an Annual Budget and Two-Year Financial Plan. The RTA shall conduct audits of each of the Service Boards no less than every 5 years, and may conduct audits of certain transportation agencies. Requires the Service Board and transportation agencies to publish certain reports and submit those reports to the Authority. The RTA must establish an Innovation, Coordination, and Enhancement Fund, an ADA Paratransit Fund, and a Suburban Community Mobility Fund. The City of Chicago may impose a real estate transfer tax. Makes numerous other changes.

Certain tax proceeds may be used by the counties of DuPage, Kane, Lake, McHenry, and

Will for operating and capital costs of public safety services.

Proposes that any fixed route public transportation services provided by the CTA, PACE and Metra, Local Mass Districts, and certain participants in the Downstate Public Transportation Fund must be provided without charge to senior citizens aged 65 and older, subject to certain residency requirements and under conditions determined by the transit board.

DRAFT