



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB3672

Introduced 2/28/2007, by Rep. Jim Watson

SYNOPSIS AS INTRODUCED:

20 ILCS 805/805-15
20 ILCS 2705/2705-20 new
20 ILCS 2905/2
415 ILCS 5/28.7 new

was 20 ILCS 805/63a37
from Ch. 127 1/2, par. 2

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. Sets forth that the applicant must request the use of the expedited process and that any additional costs shall be borne by the applicant. Effective immediately.

LRB095 10915 CMK 31201 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 applicant must request the use of an expedited process, and any
17 additional costs for using that process shall be borne by the
18 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 applicant must request the use of an expedited process, and any
10 additional costs for using that process shall be borne by the
11 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 Fire
21 Marshal, including arson investigation.

22 2. To keep a record, as may be required by law, of all
23 fires occurring in the State, together with all facts,

1 statistics and circumstances, including the origin of fires.

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

6 4. To administer the Illinois Fire Protection Training Act.

7 5. To aid in the establishment and maintenance of the
8 training facilities and programs of the Illinois Fire Service
9 Institute.

10 6. To disburse Federal grants for fire protection purposes
11 to units of local government.

12 7. To pay to or in behalf of the City of Chicago for the
13 maintenance, expenses, facilities and structures directly
14 incident to the Chicago Fire Department training program. Such
15 payments may be made either as reimbursements for expenditures
16 previously made by the City, or as payments at the time the
17 City has incurred an obligation which is then due and payable
18 for such expenditures. Payments for the Chicago Fire Department
19 training program shall be made only for those expenditures
20 which are not claimable by the City under "An Act relating to
21 fire protection training", certified November 9, 1971, as
22 amended.

23 8. To administer General Revenue Fund grants to areas not
24 located in a fire protection district or in a municipality
25 which provides fire protection services, to defray the
26 organizational expenses of forming a fire protection district.

1 9. In cooperation with the Illinois Environmental
2 Protection Agency, to administer the Illinois Leaking
3 Underground Storage Tank program in accordance with Section 4
4 of this Act and Section 22.12 of the Environmental Protection
5 Act.

6 10. To expend state and federal funds as appropriated by
7 the General Assembly.

8 11. To provide technical assistance, to areas not located
9 in a fire protection district or in a municipality which
10 provides fire protection service, to form a fire protection
11 district, to join an existing district, or to establish a
12 municipal fire department, whichever is applicable.

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

15 13. To adopt all administrative rules that may be necessary
16 for the effective administration, enforcement, and regulation
17 of all matters for which the Department has jurisdiction or
18 responsibility. These rules must include a process for
19 expediting the issuance of permits and licenses for clean coal
20 projects. The Office may engage the experts and additional
21 resources that are reasonably necessary for implementing this
22 process. An applicant must request the use of an expedited
23 process, and any additional costs for using that process shall
24 be borne by the applicant.

25 (Source: P.A. 94-178, eff. 1-1-06.)

1 Section 30. The Environmental Protection Act is amended by
2 adding Section 28.7 as follows:

3 (415 ILCS 5/28.7 new)

4 Sec. 28.7. Expedited process. The rules of the Agency and
5 Board must include a process for expediting the issuance of
6 permits and licenses for clean coal projects. The Agency and
7 Board may engage the experts and additional resources that are
8 reasonably necessary for implementing this process. An
9 applicant must request the use of an expedited process, and any
10 additional costs for using that process shall be borne by the
11 applicant.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.