

1 AN ACT concerning local government.

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

4 Section 1. Short title. This Act may be cited as the
5 Illinois Energy Efficiency and Conservation Block Grant Act.

6 Section 5. Definitions.

7 "GGCC" means the Green Governments Coordinating Council
8 created pursuant to the Green Governments Illinois Act.

9 "Eligible unit of local government" means a unit of local
10 government as defined by the federal Energy Efficiency and
11 Conservation Act of 2007, H.R.6.

12 "Secretary" means the United States Secretary of Energy.

13 Section 10. Findings. Pursuant to the federal Energy
14 Independence and Security Act of 2007, H.R.6, Title V, Subtitle
15 E (Energy Efficiency and Conservation Block Grants)
16 (hereinafter "H.R.6"), which became law on December 19, 2007,
17 the State and various units of local government are eligible to
18 apply for and receive grants of money to promote energy
19 efficiency and conservation under the "Energy Efficiency and
20 Conservation Block Grant Program". Of the federal funds
21 allocated, the law provides that 68% of the overall
22 appropriated funds shall go directly to the eligible units of

1 local government who apply, and 28% of the funds shall go
2 directly to the eligible states that apply for the grants.

3 Section 15. Energy Efficiency and Conservation Block Grant
4 Act.

5 (a) The GGCC shall be the State governmental body
6 responsible for applying for and distributing any and all
7 energy efficiency and conservation grant money for which the
8 State is eligible in Illinois under the H.R.6 federal block
9 grant program.

10 (b) The GGCC shall assist any eligible unit of local
11 government within the State that seeks assistance in applying
12 for grant money appropriated under H.R.6 for the purpose of
13 promoting energy efficiency in those areas of local government.

14 (c) The GGCC shall compile and make publicly available a
15 list of all units of local government within the State that are
16 excluded under the H.R.6 definition of "eligible unit of local
17 government".

18 (d) The GGCC shall apply for any grants that the State is
19 eligible to receive under H.R.6 and shall distribute the grant
20 money that is received under H.R.6 to the appropriate State
21 agencies and State programs. Not less than 60% of this money
22 shall be used to provide subgrants to units of local government
23 in the State that are not eligible units of local government as
24 defined by H.R.6. These subgrants shall be provided no later
25 than 180 days after the date on which the Secretary approves a

1 proposed energy efficiency and conservation strategy for
2 Illinois.

3 (e) The GGCC, as a group, shall make itself available to
4 the Secretary to comprise all or a part of the State and local
5 advisory committee to be established pursuant to H.R.6, and
6 shall make its best efforts to advise the Secretary regarding
7 the administration, implementation, and evaluation of programs
8 financed by the federal block grants distributed pursuant to
9 H.R.6 in Illinois.

10 (f) As soon as practical after the effective date of this
11 Act, the GGCC shall:

12 (1) Facilitate the modification of the State energy
13 conservation plan under Section 362 of the Energy Policy
14 and Conservation Act (42 U.S.C. 6322) to establish
15 additional goals for increased energy efficiency and
16 conservation, in accordance with H.R.6; and

17 (2) With the cooperation of all relevant State
18 agencies, submit to the Secretary a proposed energy
19 efficiency and conservation strategy that establishes a
20 process for providing subgrants and includes a State plan
21 for the use of remaining funds.

22 (g) Any grant money received under this Act shall be used
23 to achieve the purposes of the program outlined in H.R.6,
24 including, but not limited to:

25 (1) development and implementation of an energy
26 efficiency and conservation strategy;

1 (2) retaining technical consultant services to assist
2 the eligible entity in the development of the strategy;

3 (3) consulting residential and commercial building
4 energy audits;

5 (4) establishment of financial incentive programs for
6 energy efficiency improvements;

7 (5) development and implementation of programs to
8 conserve energy used in transportation;

9 (6) development and implementation of building codes
10 and inspection services to promote building energy
11 efficiency.

12 (h) No grant money received by GGCC or the receipt of which
13 was in any way facilitated by the GGCC shall be used in a
14 manner contrary to H.R.6.

15 (i) The GGCC shall make publicly available status reports
16 at least once per biennium describing the status of the
17 development and implementation of the energy efficiency and
18 conservation strategy of the State during the year and
19 including the State's specific energy efficiency and
20 conservation goals for subsequent years.

21 Section 20. Rulemaking. Notwithstanding any other
22 rulemaking authority that may exist, neither the Governor nor
23 any agency or agency head under the jurisdiction of the
24 Governor has any authority to make or promulgate rules to
25 implement or enforce the provisions of this Act. If, however,

1 the Governor believes that rules are necessary to implement or
2 enforce the provisions of this Act, the Governor may suggest
3 rules to the General Assembly by filing them with the Clerk of
4 the House and the Secretary of the Senate and by requesting
5 that the General Assembly authorize such rulemaking by law,
6 enact those suggested rules into law, or take any other
7 appropriate action in the General Assembly's discretion.
8 Nothing contained in this Act shall be interpreted to grant
9 rulemaking authority under any other Illinois statute where
10 such authority is not otherwise explicitly given. For the
11 purposes of this paragraph, "rules" is given the meaning
12 contained in Section 1-70 of the Illinois Administrative
13 Procedure Act, and "agency" and "agency head" are given the
14 meanings contained in Sections 1-20 and 1-25 of the Illinois
15 Administrative Procedure Act to the extent that such
16 definitions apply to agencies or agency heads under the
17 jurisdiction of the Governor.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.