

AN ACT concerning wind energy.

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

Section 1. Short title. This Act may be cited as the Lake Michigan Offshore Wind Energy Advisory Council Act.

Section 5. Definitions. In this Act:

"Council" means the Lake Michigan Offshore Wind Energy Advisory Council created under this Act.

"Department" means the Illinois Department of Natural Resources.

"Local government" means county, township, or municipality.

Section 10. The Lake Michigan Offshore Wind Energy Recommendation Report.

(a) In order to assist in the evaluation and consideration of offshore wind energy projects in Illinois waters of Lake Michigan, the Department shall examine the topics identified in subsection (b) of this Section and report its findings and recommendations to the Governor and General Assembly by June 30, 2012. During preparation of the report, the Department is not expected to fund or perform original scientific studies.

(b) In preparing a report, the Department shall evaluate

all of the following:

(1) Appropriate criteria for the Department to use to review applications for offshore wind development of Lake Michigan lakebed leases.

(2) Criteria for identifying areas that are favorable, acceptable, and unacceptable for offshore wind development, including, but not limited to, impacts to wildlife, protected habitats, navigation, commercial fisheries, and recreational uses of Lake Michigan.

(3) A recommended process for ensuring public engagement in the Department's process for leasing Lake Michigan lakebed for offshore wind energy projects.

(4) Options for how the State shall be compensated for Lake Michigan lakebed leasing.

(5) A summary of the lessons learned from other domestic and international offshore wind development experiences, including, but not limited to, those related to public policy, regulatory, and siting concerns for offshore wind development.

(6) Identification of local, State, and federal authorities with permitting, siting, or other approval authority for wind power development in Lake Michigan.

(7) Recommendations for needed State legislation and regulations governing offshore wind farm development.

Section 15. The Lake Michigan Offshore Wind Energy Advisory

Council.

(a) The Council is created as a separate entity within the Department of Natural Resources and shall consist of the Director or Chairman, or their designee, of the following 5 State agencies:

- (1) The Department of Natural Resources.
- (2) The Illinois Environmental Protection Agency.
- (3) The Illinois Power Agency.
- (4) The Illinois Commerce Commission.
- (5) The Illinois Historic Preservation Agency.

(b) The Director of Natural Resources shall serve as chairperson of the Council. The chairperson shall select the following public members to serve on the Council:

- (1) One individual representing a statewide environmental organization.
- (2) One individual representing the tourism industry.
- (3) One resident of the State representing an Illinois institution of higher education.
- (4) Two residents of the State representing lakefront communities.
- (5) One individual representing an electrical utility industry.
- (6) One individual representing an independent transmission company.
- (7) One individual representing the offshore wind energy industry.

(8) One individual representing local government officials.

(9) One individual representing a regional environmental organization.

(10) One individual representing the commercial fishing industry.

(11) One individual representing the recreational boating community.

(c) At his or her discretion, the chairperson may appoint additional public members to the Council.

(d) The Speaker of the House, Minority Leader of the House, Senate President, and Minority Leader of the Senate shall each appoint one member of the General Assembly to serve on the Council.

(e) Members of the Council shall serve without compensation.

(f) The Council shall examine the topics identified in subsection (b) of Section 10 of this Act and shall make recommendations to the Department during the preparation of the report to the General Assembly and Governor.

Section 20. Repeal of Act. This Act shall be repealed on July 1, 2012.

Section 99. Effective date. This Act takes effect July 1, 2011.