

LIVABLE COMMUNITIES

Public Acts 96-0557 (HB 37) and **96-0511** (HB 1002) were passed after several Department of Natural Resources and Historic Preservation Agency properties were closed due to budget concerns, including the Frank Lloyd Wright Dana-Thomas House, in Springfield. Public Act 96-0557 would have allowed both agencies to offer units of local government, non-profit organizations, and public or private colleges or universities the opportunity to lease the facility and retain all revenues generated by such operation during the term of the lease. Under Public Act 96-511, the Illinois Historic Sites Fund would not be allowed to transfer monies into the General Revenue Fund by the Governor.

The Urban Development Authority was created by **Public Act 96-0234** (HB 264) as a 11-member board which would oversee the issuance of bonds, notes, or other evidences of indebtedness for specified housing or residential projects within Cook County. The bond issue would be supervised by the Illinois Finance Authority.

Under **PA 96-0489** (SB 2034), the Illinois Environment Protection Agency was to implement a detailed beneficial use determination (BUD) process that would have helped streamline the reclamation, reuse, and recycling of waste materials from manufacturing, construction activities and Brownfield redevelopments. This legislation was meant to be an effective tool to promote recycling, conserve natural resources, and stimulate redevelopment in industrial areas. With construction debris representing around 25% of landfill waste, imposed fees by the state or local solid waste agencies on these safely reusable materials would mean that there is virtually no chance they will be removed from the waste stream, defeating the purpose of the beneficial use determination process.

There were two bills introduced concerning Recyclable General Construction Debris. **Public Act 96-0235** (HB 266) changed the way that a owner or operator of a facility accepting exclusively construction or demolition debris recovered wood that is processed for use as fuel must be sorted within 48 hours. Non-recyclable general construction or demolition debris that is neither recyclable general construction or demolition debris nor recovered wood that is processed for use as fuel must be transported off site for disposal and the transport of certain materials within 45 days after their receipt by the facility. **HB 346** would have amended the Environmental Protection Act by defining "Tier 1 construction or demolition debris soil" and "pollution control facility". The Illinois Environmental Protection Agency would have been able to develop a special authorization for the removal and reuse of soil from and to sites within the corporate boundaries of a municipality with a population in excess of one million.

Public Act 96-0173 (HB 680) made changes to the Illinois Renewable Fuels Development Program Act by authorizing the Department of Commerce and Economic Opportunity to award a grant to an applicant who installs advanced technologies for water usage, carbon footprint reduction, and other blending

improvements designed to optimize processes at the applicant's renewable fuels facility.

Public Act 96-0296 (HB 3637), encouraged businesses to restore, refurbish, and retrofit existing buildings for retail, professional, corporate, manufacturing, assembly, or distribution business by allowing the Department of Commerce and Economic Opportunity to implement and administer a new pilot program.

Public Act 96-0630 (SB 1601) clarified what "LEED certified" meant within the Economic Development Area Tax Increment Allocation Act and provided that "redevelopment project costs" included any direct or indirect costs relating to LEED certified construction elements.

There were several measures introduced which would have created an Historic Rehabilitation Tax Credit by authorizing a 25% tax credit against state income taxes and insurance company privilege taxes for the costs of rehabilitating eligible historic property. However, with the current state budget crisis **HB 469**, **HB 586**, **SB 1366**, and **SB 1692** did not get through the legislative process.

SB 1398 would have allowed counties to establish an affordable housing trust fund to provide financial support for affordable housing activities that address the housing needs of low-income and moderate-income households as determined by the county board.

There were several bills that were introduced concerning Green construction tax credits or incentives: **HB 679**, Geothermal Energy Device Tax Credit, **HB 2453**, Wind/Solar Energy Valuation, **HB 2528**, Utility & Alternative Electric Supplier Responsibility, **HB 3698**, High Energy Efficiency Boiler Installation Program, **HB 692**, and Meter Aggregation for Net Metering. Again, with the current state budget crisis, the above bills did not pass.

HB 2359 would have created a policy committee to develop and oversee a Statewide Transportation Plan meant to develop and foster economical transportation services in all modes of "surface transportation" (instead of ground, air, water, and other modes). Other transportation measures introduced this session, **PA 96-0680** (HB 2394) & **HB 3633**, make changes to the Tax Increment Allocation Redevelopment Act in the Illinois Municipal Code by allowing redevelopment project areas within a one-half mile radius of an existing or proposed Regional Transportation Authority Suburban Transit Access Route (STAR line) station without a finding that the area was classified as an industrial park conservation area, conservation area, or a blighted area.

PA 96-0103 (SB 1906) and **PA 96-0817** (SB 390) clarifies language for an existing renewable energy bond program by adding modern terms like Renewable Energy Project, Clean Coal Project and Energy Efficiency Project. Under this legislation, the Illinois Finance Authority would be able to increase its bonding from \$2.7 billion to \$3 billion. This will allow the State to be more than competitive in obtaining some of the over \$70 billion in the guaranteed

renewable energy loans available from the Federal Government.

HB 76 would have amended the Illinois Income Tax Act by allowing credit for taxpayers who, during the taxable year, install, on a building or property that was owned by the taxpayer and that was located in the State, a geothermal, solar, wind, or fuel cell energy device and set the amount of the credit as the lesser of (i) \$1,500 or (ii) 20% of the actual cost of the acquisition and installation of the device. Under this bill, credit would not be carried forward or back and the taxpayer's liability could not equal less than zero.