



Rep. Chad Hays

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09700HB1487ham001

LRB097 06685 RLJ 51201 a

1 AMENDMENT TO HOUSE BILL 1487

2 AMENDMENT NO. _____. Amend House Bill 1487 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Renewable Energy Production District Act.

6 Section 5. Definition. "Renewable energy facility" means a
7 generator attached to a building or parcel of land that is
8 powered by solar electric energy or wind, dedicated crops grown
9 for electricity generation, anaerobic digestion of livestock
10 or food processing waste, fuel cells or microturbines powered
11 by renewable fuels, or hydroelectric energy.

12 Section 10. Renewable energy production district. Any area
13 within the boundaries of a single county may be incorporated as
14 a renewable energy production district.

15 Fifty or more of the legal voters resident within the

1 limits of the proposed district or a majority if there are
2 fewer than 100 legal voters, may petition the circuit court for
3 the county in which the proposed district is located to cause
4 the question to be submitted to the legal voters of the
5 proposed district whether the proposed territory shall be
6 organized as a renewable energy production district under this
7 Act. The petition shall be addressed to the court and shall
8 contain a definite description of the boundaries of the
9 territory to be embraced in the proposed district and the name
10 of the proposed district. The territory incorporated in a
11 district formed under this Act shall be contiguous and may
12 contain any territory not previously included in any renewable
13 energy production district.

14 Upon filing a petition, in the office of the circuit clerk
15 of the county in which the petition is made, the court shall
16 consider the boundaries of the renewable energy production
17 district whether the same shall be those stated in the petition
18 or otherwise.

19 Notice shall be given by the court of the time and place of
20 a hearing upon the subject of the petition. The notice shall be
21 published in one or more newspapers of general circulation
22 within the proposed renewable energy production district or, if
23 there is no newspaper of general circulation within the
24 proposed renewable energy production district, then by posting
25 at least 10 copies in the proposed district at least 20 days
26 before the meeting in conspicuous places as far separated from

1 each other as consistently possible.

2 At the hearing, all persons in the proposed renewable
3 energy production district shall have an opportunity to be
4 heard concerning the location and boundary of the proposed
5 district and make suggestions regarding the same, and the
6 court, after hearing statements, evidence, and suggestions,
7 shall fix and determine the limits and boundaries of the
8 proposed district, and for that purpose and to that extent, may
9 alter and amend the petition. After the determination by the
10 court the limits and boundaries shall be incorporated in an
11 order, and the order shall be filed in the records of the
12 court. Upon the entering of the order, the court shall certify
13 the order and the proposition to the proper election officials,
14 who shall submit the proposition to the voters at an election
15 in accordance with the general election law. In addition to the
16 requirements of the general election law, notice of the
17 referendum shall include a description of the proposed district
18 and the name of the proposed district.

19 The proposition shall be in substantially the following
20 form:

21 Shall a renewable energy production district be
22 incorporated?

23 Votes shall be recorded as "YES" or "NO".

24 The court shall cause a statement of the results of the
25 election to be filed in the records of the court. If a majority
26 of the votes cast upon the question are in favor of the

1 incorporation of the proposed renewable energy production
2 district, then the district shall thereafter be an organized
3 renewable energy production district under this Act, and the
4 court shall enter an order accordingly and cause the same to be
5 filed in the records of the court and shall also send to the
6 county clerk a certified copy of the order organizing the
7 district.

8 Section 15. Board of trustees. A renewable energy
9 production district shall be governed by a board of trustees.
10 The board of trustees shall consist of 5 members. Within 90
11 days after the order is entered organizing the district, the
12 county board in which the renewable energy production district
13 is located shall appoint the members of the board. Of the
14 initial members, 3 shall serve for a 3-year term and 2 shall
15 serve for a 5-year term, as determined by lot. Thereafter, the
16 members of the board shall serve for a 5-year term. Vacancies
17 shall be filled in the same manner as appointments. The members
18 of the board shall annually elect one member to serve as the
19 chairperson. Members of the board shall serve without
20 compensation but may receive the reasonable cost of their
21 travel expenses.

22 Section 20. Powers. The board shall exercise all of the
23 powers and control all the affairs of a renewable energy
24 production district.

1 (a) The board may:

2 (1) construct, operate, and maintain a renewable
3 energy facility;

4 (2) contract with private or public entities to
5 construct, operate, or maintain a renewable energy
6 facility for the district;

7 (3) solicit and accept moneys from any legal source;
8 and

9 (4) sell the renewable energy produced by a renewable
10 energy facility.

11 (b) The board must remit all money collected from a
12 renewable energy facility to the county in which the district
13 is located.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.".