

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 Energy Conservation and Coal Development Act  
5 is amended by changing Section 8 as follows:

6 (20 ILCS 1105/8) (from Ch. 96 1/2, par. 7408)

7 Sec. 8. Illinois Coal Development Board.

8 (a) There may be established as an advisory board to the  
9 Department, the Illinois Coal Development Board, hereinafter  
10 in this Section called the Board. The Board shall be composed  
11 of the following voting members: the Director of the  
12 Department, who shall be Chairman thereof; the Deputy Director  
13 of the Bureau of Business Development within the Department of  
14 Commerce and Economic Opportunity; the President of the  
15 University of Illinois or his or her designee; the Director of  
16 Natural Resources or that Director's designee; the Director of  
17 the Office of Mines and Minerals within the Department of  
18 Natural Resources; 4 members of the General Assembly (one each  
19 appointed by the President of the Senate, the Senate Minority  
20 Leader, the Speaker of the House, and the House Minority  
21 Leader); and 8 persons appointed by the Governor, with the  
22 advice and consent of the Senate, including representatives of  
23 Illinois industries that are involved in the extraction,

1 utilization or transportation of Illinois coal, persons  
2 representing financial or banking interests in the State, and  
3 persons experienced in international business and economic  
4 development. These members shall be chosen from persons of  
5 recognized ability and experience in their designated field.  
6 The members appointed by the Governor shall serve for terms of  
7 4 years, unless otherwise provided in this subsection. The  
8 initial terms of the original appointees shall expire on July  
9 1, 1985, except that the Governor shall designate 3 of the  
10 original appointees to serve initial terms that shall expire on  
11 July 1, 1983. The initial term of the member appointed by the  
12 Governor to fill the office created after July 1, 1985 shall  
13 expire on July 1, 1989. The initial terms of the members  
14 appointed by the Governor to fill the offices created by this  
15 amendatory Act of 1993 shall expire on July 1, 1995, and July  
16 1, 1997, as determined by the Governor. A member appointed by a  
17 Legislative Leader shall serve for the duration of the General  
18 Assembly for which he or she is appointed, so long as the  
19 member remains a member of that General Assembly.

20 The Board may meet at least annually or at the call of the  
21 Chairman. At any time the majority of the Board may petition  
22 the Chairman for a meeting of the Board. Nine members of the  
23 Board shall constitute a quorum. Members of the Board shall be  
24 reimbursed for actual and necessary expenses incurred while  
25 performing their duties as members of the Board from funds  
26 appropriated to the Department for such purpose.

1 (b) The Board shall provide advice and make recommendations  
2 on the following Department powers and duties:

3 (1) To develop an annual agenda which may include but  
4 is not limited to research and methodologies conducted for  
5 the purpose of increasing the utilization of Illinois' coal  
6 and other fossil fuel resources, with emphasis on high  
7 sulfur coal, in the following areas: coal extraction,  
8 preparation and characterization; coal technologies  
9 (combustion, gasification, liquefaction, and related  
10 processes); marketing; ~~public awareness and education, as~~  
11 ~~those terms are used in the Illinois Coal Technology~~  
12 ~~Development Assistance Act;~~ transportation; procurement of  
13 sites and issuance of permits; and environmental impacts.

14 (2) To support and coordinate Illinois coal research,  
15 and to approve projects consistent with the annual agenda  
16 and budget for coal research and the purposes of this Act  
17 and to approve the annual budget and operating plan for  
18 administration of the Board.

19 (3) To promote the coordination of available research  
20 information on the production, preparation, distribution  
21 and uses of Illinois coal. The Board shall advise the  
22 existing research institutions within the State on areas  
23 where research may be necessary.

24 (4) To cooperate to the fullest extent possible with  
25 State and federal agencies and departments, independent  
26 organizations, and other interested groups, public and

1 private, for the purposes of promoting Illinois coal  
2 resources.

3 (5) To submit an annual report to the Governor and the  
4 General Assembly outlining the progress and  
5 accomplishments made in the year, providing an accounting  
6 of funds received and disbursed, reviewing the status of  
7 research contracts, and furnishing other relevant  
8 information.

9 (6) To focus on existing coal research efforts in  
10 carrying out its mission; to make use of existing research  
11 facilities in Illinois or other institutions carrying out  
12 research on Illinois coal; as far as practicable, to make  
13 maximum use of the research facilities available at the  
14 Illinois State Geological Survey of the University of  
15 Illinois, the Coal Extraction and Utilization Research  
16 Center, the Illinois Coal Development Park and  
17 universities and colleges located within the State of  
18 Illinois; and to create a consortium or center which  
19 conducts, coordinates and supports coal research  
20 activities in the State of Illinois. Programmatic  
21 activities of such a consortium or center shall be subject  
22 to approval by the Department and shall be consistent with  
23 the purposes of this Act. The Department may authorize  
24 expenditure of funds in support of the administrative and  
25 programmatic operations of such a center or consortium  
26 consistent with its statutory authority. Administrative

1 actions undertaken by or for such a center or consortium  
2 shall be subject to the approval of the Department.

3 (7) To make a reasonable attempt, before initiating any  
4 research under this Act, to avoid duplication of effort and  
5 expense by coordinating the research efforts among various  
6 agencies, departments, universities or organizations, as  
7 the case may be.

8 (8) To adopt, amend and repeal rules, regulations and  
9 bylaws governing the Board's organization and conduct of  
10 business.

11 (9) To authorize the expenditure of monies from the  
12 Coal Technology Development Assistance Fund, the Public  
13 Utility Fund and other funds in the State Treasury  
14 appropriated to the Department, consistent with the  
15 purposes of this Act.

16 (10) To seek, accept, and expend gifts or grants in any  
17 form, from any public agency or from any other source. Such  
18 gifts and grants may be held in trust by the Department and  
19 expended at the direction of the Department and in the  
20 exercise of the Department's powers and performance of the  
21 Department's duties.

22 (11) To publish, from time to time, the results of  
23 Illinois coal research projects funded through the  
24 Department.

25 (12) To authorize loans from appropriations from the  
26 Build Illinois Bond Purposes Fund, the Build Illinois Bond

1 Fund and the Illinois Industrial Coal Utilization Fund.

2 (13) To authorize expenditures of monies for coal  
3 development projects under the authority of Section 13 of  
4 the General Obligation Bond Act.

5 (c) The Board shall also provide advice and make  
6 recommendations on the following Department powers and duties:

7 (1) To create and maintain thorough, current and  
8 accurate records on all markets for and actual uses of coal  
9 mined in Illinois, and to make such records available to  
10 the public upon request.

11 (2) To identify all current and anticipated future  
12 technical, economic, institutional, market, environmental,  
13 regulatory and other impediments to the utilization of  
14 Illinois coal.

15 (3) To monitor and evaluate all proposals and plans of  
16 public utilities related to compliance with the  
17 requirements of Title IV of the federal Clean Air Act  
18 Amendments of 1990, or with any other law which might  
19 affect the use of Illinois coal, for the purposes of (i)  
20 determining the effects of such proposals or plans on the  
21 use of Illinois coal, and (ii) identifying alternative  
22 plans or actions which would maintain or increase the use  
23 of Illinois coal.

24 (4) To develop strategies and to propose policies to  
25 promote environmentally responsible uses of Illinois coal  
26 for meeting electric power supply requirements and for

1 other purposes.

2 (5) (Blank).

3 (Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999; 96-739, eff.  
4 1-1-10.)

5 Section 10. The Illinois Coal Technology Development  
6 Assistance Act is amended by changing Sections 2 and 5 as  
7 follows:

8 (30 ILCS 730/2) (from Ch. 96 1/2, par. 8202)

9 Sec. 2. As used in this Act:

10 (a) "coal" or "coal resources" means Illinois coal or coal  
11 products extracted from the ground or reclaimed from the waste  
12 material produced by coal extraction operations;

13 (b) "coal demonstration and commercialization" means  
14 projects for the construction and operation of facilities to  
15 prove the scientific and engineering validity or the commercial  
16 application of a coal extraction, preparation, combustion,  
17 gasification, liquefaction or other synthetic process,  
18 environmental control, or transportation method;

19 (c) "coal research" means scientific investigations  
20 conducted for the purpose of increasing the utilization of coal  
21 resources and includes investigations in the areas of  
22 extraction, preparation, characterization, combustion,  
23 gasification, liquefaction and other synthetic processes,  
24 environmental control, marketing, transportation, procurement

1 of sites, and environmental impacts;

2 (d) "Fund" means the Coal Technology Development  
3 Assistance Fund;

4 (e) "Board" means the Illinois Coal Development Board or  
5 its successor;

6 (f) "Department" means the Department of Commerce and  
7 Economic Opportunity;

8 (g) (blank). ~~"public awareness and education" means~~  
9 ~~programs of education, curriculum development, public service~~  
10 ~~announcements, informational advertising and informing the~~  
11 ~~news media on issues related to the use of Illinois coal, the~~  
12 ~~coal industry and related developments. Public awareness and~~  
13 ~~education shall be directed toward school age residents of the~~  
14 ~~State, the citizens of the State and other interested parties.~~  
15 (Source: P.A. 94-793, eff. 5-19-06.)

16 (30 ILCS 730/5) (from Ch. 96 1/2, par. 8205)

17 Sec. 5. The Department shall have the following powers and  
18 duties:

19 (a) To solicit, accept and approve or disapprove  
20 applications for financial support of coal research projects  
21 and coal demonstration and commercialization projects.

22 (b) To enter into contracts with business, industrial,  
23 university, governmental or other qualified individuals or  
24 organizations ~~to carry out programs to increase public~~  
25 ~~awareness and education concerning Illinois coal,~~ to implement



1 coal research and coal demonstration and commercialization  
2 projects~~7~~ and to carry out programs designed to preserve and  
3 enhance markets for Illinois coal.

4 (c) To make a reasonable attempt, before initiating any  
5 projects under this Act, to avoid duplication of support for  
6 previous or ongoing activities, or projects that would be more  
7 appropriately funded under the Illinois Coal and Energy  
8 Development Bond Act.

9 (d) To seek, accept and expend gifts or grants in any form,  
10 from any public agency or any other source, for the purposes of  
11 this Act.

12 (e) To adopt, amend and repeal rules, regulations and  
13 guidelines to implement and administer this Act.

14 (Source: P.A. 89-499, eff. 6-28-96.)

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