



Rep. Michael J. Madigan

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1 AMENDMENT TO HOUSE BILL 3760

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3760, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 1. Short title. This Act may be cited as the Park  
6 and Recreational Facility Construction Act.

7 Section 5. Definitions. As used in this Act:

8 "Department" means the Department of Natural Resources.

9 "Grant index" means a figure for each park or recreation  
10 unit equal to one minus the ratio of the park or recreation  
11 unit's equalized assessed valuation per capita to the equalized  
12 assessed valuation per capita of the park or recreation unit  
13 located at the 90th percentile for all park or recreation units  
14 in the State. The grant index shall be no less than 0.35 and no  
15 greater than 0.75 for each park or recreation unit; provided  
16 that the grant index for park or recreation units whose  
17 equalized assessed valuation per capita is at the 99th  
18 percentile and above for all park or recreation units in the  
19 State shall be 0.00.

20 "Park or recreation unit" means the governmental unit of  
21 any public park, park district, park and recreation district,  
22 recreational facility, or recreation system established under  
23 the Park District Code, the Chicago Park District Act, the  
24 Metro-East Park and Recreation District Act, or the Illinois  
25 Municipal Code.

1 "Park or recreation unit construction project" means the  
2 acquisition, development, construction, reconstruction,  
3 rehabilitation, improvement, architectural planning,  
4 installation, maintenance, and upkeep of (i) capital  
5 facilities consisting of buildings, structures, durable  
6 equipment, and land for park or recreation purposes and (ii)  
7 open spaces and natural areas, as those terms are defined in  
8 Section 10 of the Illinois Open Land Trust Act.

9 Section 10. Grant awards. The Capital Development Board is  
10 authorized to make grants to park or recreation units for park  
11 or recreation unit construction projects with funds  
12 appropriated by the General Assembly from the Park and  
13 Recreational Facility Construction Fund pursuant to the  
14 provisions of this Act.

15 Section 15. Grants. The Department is authorized to  
16 determine grant eligibility for park or recreation unit  
17 construction projects and shall determine the priority order  
18 for park or recreation unit construction project grants to be  
19 made by the Capital Development Board. When grant eligibility  
20 has been determined for a park or recreation unit construction  
21 project, the Capital Development Board shall notify the park or  
22 recreation unit of the dollar amount of the park or recreation  
23 unit construction project's cost that the park or recreation  
24 unit will be required to finance with non-grant funds in order  
25 to qualify to receive a park or recreation unit construction  
26 project grant under this Act from the Capital Development  
27 Board. The Department shall thereafter determine whether a  
28 grant shall be made.

29 Section 20. Grant application; facilities plan. Park or  
30 recreation units shall apply to the Department for park or  
31 recreation unit construction project grants. Park or

1 recreation units filing grant applications shall submit to the  
2 Department a facilities plan that shall include, but not be  
3 limited to, an assessment of present and future park or  
4 recreation facility needs as required by present and  
5 anticipated park or recreational programming, the availability  
6 of local financial resources including current revenues, fund  
7 balances, and unused bonding capacity, a fiscal plan for  
8 meeting present and anticipated debt service obligations, and a  
9 maintenance plan and schedule that contain necessary  
10 assurances that new, renovated, and existing facilities are  
11 being or will be properly maintained. The Department shall  
12 review and approve park or recreation unit facilities plans  
13 prior to determining eligibility and authorizing grants. Each  
14 park or recreation unit that is determined to be eligible shall  
15 annually update its facilities plan and submit the revised plan  
16 to the Department for approval.

17 Section 25. Eligibility and project standards.

18 (a) The Department shall establish eligibility standards  
19 for park or recreation unit construction project grants and  
20 approve a park or recreation unit's eligibility for a park or  
21 recreation unit construction project grant pursuant to the  
22 established standards. These standards shall include minimum  
23 service population requirements for park or recreation unit  
24 construction project grants.

25 (b) The Capital Development Board shall establish project  
26 standards for all park or recreation unit construction project  
27 grants provided pursuant to this Act. These standards shall  
28 include the determination of recognized project costs that  
29 shall be eligible for State financial assistance and enrichment  
30 costs that shall not be eligible for State financial  
31 assistance.

32 Section 30. Priority of construction projects. The

1 Department shall develop standards for the determination of  
2 priority needs concerning park or recreation unit construction  
3 projects based upon approved facilities plans. These standards  
4 shall call for prioritization based on the degree of need and  
5 project type in the following order:

6 (1) Replacement or reconstruction of park or  
7 recreation unit facilities destroyed or damaged by flood,  
8 tornado, fire, earthquake, or other disasters, either  
9 man-made or produced by nature;

10 (2) Projects designed to address population growth or  
11 to replace aging park or recreation unit facilities;

12 (3) Replacement or reconstruction of park or  
13 recreation unit facilities determined to be severe and  
14 continuing health or life safety hazards;

15 (4) Alterations necessary to provide accessibility for  
16 qualified individuals with disabilities; and

17 (5) Other unique solutions to facility needs.

18 Section 35. Grant amounts; permitted use; prohibited use.

19 (a) The product of the park or recreation unit's grant  
20 index and the recognized project cost, as determined by the  
21 Capital Development Board, for an approved park or recreation  
22 unit construction project shall equal the amount of the grant  
23 the Capital Development Board shall provide to the eligible  
24 park or recreation unit. The grant index shall not be used in  
25 cases where the General Assembly and the Governor approve  
26 appropriations designated for specifically identified park or  
27 recreation unit construction projects.

28 (b) In each fiscal year in which park or recreation unit  
29 construction project grants are awarded, of the total amount  
30 awarded statewide, 20% shall be awarded to the Chicago Park  
31 District, provided that the Chicago Park District complies with  
32 the provisions of this Act, and 80% shall be awarded to park or  
33 recreation units outside of the City of Chicago.

1           (c) No portion of a park or recreation unit construction  
2 project grant awarded by the Capital Development Board shall be  
3 used by a park or recreation unit for any on-going operational  
4 costs.

5           Section 37. Carry over projects. If a park or recreation  
6 unit has been determined eligible for a park or recreation unit  
7 construction project, has arranged and approved all local  
8 financing, and is eligible to receive a park or recreation unit  
9 construction project grant award in any fiscal year, but does  
10 not receive such award in that year due to lack of adequate  
11 appropriations, those park or recreation unit construction  
12 projects shall continue to be considered for grant awards for  
13 the following fiscal year.

14           Section 40. Supervision of park or recreation unit  
15 construction projects. The Capital Development Board shall  
16 exercise general supervision over park or recreation unit  
17 construction projects financed pursuant to this Act. Park or  
18 recreation units, however, must be allowed to choose the  
19 architect and engineer for their park or recreation unit  
20 construction projects, and no project may be disapproved by the  
21 Department or the Capital Development Board solely due to a  
22 park or recreation unit's selection of an architect or  
23 engineer.

24           Section 50. Referendum requirements. After the Department  
25 has approved all or part of a park or recreation unit's  
26 application and made a determination of eligibility for a park  
27 or recreation unit construction project grant, the park or  
28 recreation unit shall submit the project or the financing of  
29 the project to a referendum when the referendum is required by  
30 law.

1 Section 55. Rules.

2 (a) The Capital Development Board shall promulgate such  
3 rules as it deems necessary for carrying out its  
4 responsibilities under the provisions of this Act.

5 (b) The Department shall promulgate such rules as it deems  
6 necessary for carrying out its responsibilities under the  
7 provisions of this Act.

8 Section 60. Capital needs assessment. The Department and  
9 the Capital Development Board shall file with the General  
10 Assembly a comprehensive assessment report of the capital needs  
11 of all park or recreation units in this State before January 1,  
12 2006 and every 2 years thereafter. This assessment shall  
13 include, without limitation, an analysis of the 5 categories of  
14 capital needs prioritized in Section 5-30 of this Act.

15 Section 900. The State Finance Act is amended by adding  
16 Section 5.640 as follows:

17 (30 ILCS 105/5.640 new)

18 Sec. 5.640. The Park and Recreational Facility  
19 Construction Fund. "