



## 95TH GENERAL ASSEMBLY

### State of Illinois

### 2007 and 2008

#### HB0032

Introduced 1/19/2007, by Rep. JoAnn D. Osmond

#### SYNOPSIS AS INTRODUCED:

20 ILCS 801/1-40 new

30 ILCS 105/8.25c

30 ILCS 105/8h

from Ch. 127, par. 144.25c

Amends the Department of Natural Resources Act. Provides that the Department of Natural Resources shall formulate and implement a 10-year program that shall be in place by January 1, 2008 for the maintenance and reconstruction of the Adeline Jay Geo-Karis Illinois Beach Marina. Amends the State Finance Act. Provides that transfers from the Adeline Jay Geo-Karis Illinois Beach Marina Fund to the General Revenue Fund shall not exceed \$1,000,000 (now, \$2,000,000) in any fiscal year. Transfers an amount equal to the amount transferred from the Adeline Jay Geo-Karis Illinois Beach Marina Fund to the General Revenue Fund under certain provisions of the State Finance Act during fiscal years 2004, 2005, 2006, and 2007 from the General Revenue Fund to the Adeline Jay Geo-Karis Illinois Beach Marina Fund. Excludes the Adeline Jay Geo-Karis Illinois Beach Marina Fund from a provision of the State Finance Act that allows the Governor to transfer moneys from certain special funds into the General Revenue Fund. Effective immediately.

LRB095 03685 HLH 23712 b

1 AN ACT concerning the Adeline Jay Geo-Karis Illinois Beach  
2 Marina.

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

5 Section 5. The Department of Natural Resources Act is  
6 amended by adding Section 1-40 as follows:

7 (20 ILCS 801/1-40 new)

8 Sec. 1-40. Adeline Jay Geo-Karis Illinois Beach Marina;  
9 maintenance. The Department shall formulate and implement a  
10 10-year program for the maintenance and reconstruction of the  
11 Adeline Jay Geo-Karis Illinois Beach Marina. The program shall  
12 be in place no later than January 1, 2008, and shall be known  
13 as the Adeline Jay Geo-Karis Illinois Beach Marina Program.

14 Section 10. The State Finance Act is amended by changing  
15 Sections 8.25c and 8h as follows:

16 (30 ILCS 105/8.25c) (from Ch. 127, par. 144.25c)

17 Sec. 8.25c. (a) Beginning in fiscal year 1991 and  
18 continuing through the third quarter of fiscal year 1993, the  
19 State Comptroller shall order transferred and the State  
20 Treasurer shall transfer from the Illinois Beach Marina Fund  
21 (now known as the Adeline Jay Geo-Karis Illinois Beach Marina

1 Fund) to the General Revenue Fund 50% of the revenue deposited  
2 into the Illinois Beach Marina Fund. Beginning in the fourth  
3 quarter of fiscal year 1993 and thereafter until the sum of  
4 \$31,200,000 is paid to the General Revenue Fund, the State  
5 Comptroller shall order transferred and the State Treasurer  
6 shall transfer from the Adeline Jay Geo-Karis Illinois Beach  
7 Marina Fund (formerly known as the Illinois Beach Marina Fund)  
8 to the General Revenue Fund 25% of the first \$2,000,000 of  
9 revenue deposited into the Adeline Jay Geo-Karis Illinois Beach  
10 Marina Fund (formerly known as the Illinois Beach Marina Fund)  
11 in any fiscal year, and 75% of the revenue deposited into the  
12 Adeline Jay Geo-Karis Illinois Beach Marina Fund (formerly  
13 known as the Illinois Beach Marina Fund) in excess of  
14 \$2,000,000 in any fiscal year; however, such transfers shall  
15 not exceed \$1,000,000 ~~\$2,000,000~~ in any fiscal year. In  
16 addition, beginning in fiscal year 1991 and thereafter until  
17 the sum of \$8,000,000 is paid to the State Boating Act Fund the  
18 State Comptroller shall order transferred and the State  
19 Treasurer shall transfer from the Adeline Jay Geo-Karis  
20 Illinois Beach Marina Fund (formerly known as the Illinois  
21 Beach Marina Fund) to the State Boating Act Fund 15% of the  
22 revenue deposited into the Adeline Jay Geo-Karis Illinois Beach  
23 Marina Fund (formerly known as the Illinois Beach Marina Fund).  
24 Beginning in fiscal year 1992, the transfers from the Adeline  
25 Jay Geo-Karis Illinois Beach Marina Fund (formerly known as the  
26 Illinois Beach Marina Fund) to the State Boating Act Fund shall

1 be made only at the direction of and in the amount authorized  
2 by the Department of Natural Resources. Moneys transferred  
3 under authorization of this Section to the State Boating Act  
4 Fund in fiscal year 1992 before the effective date of this  
5 amendatory Act of 1991 may be transferred to the Illinois Beach  
6 Marina Fund (now known as the Adeline Jay Geo-Karis Illinois  
7 Beach Marina Fund) at the direction of the Department of  
8 Natural Resources. The transfers required under this Section  
9 shall be made within 30 days after the end of each quarter  
10 based on the State Comptroller's record of receipts for the  
11 quarter. The initial transfers shall be made within 30 days  
12 after June 30, 1990 based on revenues received in the preceding  
13 quarter. Additional transfers in excess of the limits  
14 established under this Section may be authorized by the  
15 Department of Natural Resources for accelerated payback of the  
16 amount due. As soon as is practical after the effective date of  
17 this amendatory Act of the 95th General Assembly, the State  
18 Comptroller shall order transferred and the State Treasurer  
19 shall transfer from the General Revenue Fund to the Adeline Jay  
20 Geo-Karis Illinois Beach Marina Fund an amount equal to the  
21 amount transferred from the Adeline Jay Geo-Karis Illinois  
22 Beach Marina Fund to the General Revenue Fund under Section 8h,  
23 8.44, and 8.45 of this Act during State fiscal years 2004,  
24 2005, 2006, and 2007.

25 (b) The Department may, subject to appropriations by the  
26 General Assembly, use monies in the Adeline Jay Geo-Karis

1 Illinois Beach Marina Fund (formerly known as the Illinois  
2 Beach Marina Fund) to pay for operation, maintenance, repairs,  
3 or improvements to the marina project; provided, however, that  
4 payment of the amounts due under the terms of subsection (a)  
5 shall have priority on all monies deposited in this Fund.

6 (c) Monies on deposit in excess of that needed for payments  
7 to the General Revenue Fund and the State Boating Fund and in  
8 excess of those monies needed for the operation, maintenance,  
9 repairs, or improvements to the Adeline Jay Geo-Karis Illinois  
10 Beach Marina as determined by the Department of Natural  
11 Resources may be transferred at the discretion of the  
12 Department to the State Parks Fund.

13 (Source: P.A. 94-1042, eff. 7-24-06.)

14 (30 ILCS 105/8h)

15 Sec. 8h. Transfers to General Revenue Fund.

16 (a) Except as otherwise provided in this Section and  
17 Section 8n of this Act, and ~~(c), (d), or (e)~~, notwithstanding  
18 any other State law to the contrary, the Governor may, through  
19 June 30, 2007, from time to time direct the State Treasurer and  
20 Comptroller to transfer a specified sum from any fund held by  
21 the State Treasurer to the General Revenue Fund in order to  
22 help defray the State's operating costs for the fiscal year.  
23 The total transfer under this Section from any fund in any  
24 fiscal year shall not exceed the lesser of (i) 8% of the  
25 revenues to be deposited into the fund during that fiscal year

1 or (ii) an amount that leaves a remaining fund balance of 25%  
2 of the July 1 fund balance of that fiscal year. In fiscal year  
3 2005 only, prior to calculating the July 1, 2004 final  
4 balances, the Governor may calculate and direct the State  
5 Treasurer with the Comptroller to transfer additional amounts  
6 determined by applying the formula authorized in Public Act  
7 93-839 to the funds balances on July 1, 2003. No transfer may  
8 be made from a fund under this Section that would have the  
9 effect of reducing the available balance in the fund to an  
10 amount less than the amount remaining unexpended and unreserved  
11 from the total appropriation from that fund estimated to be  
12 expended for that fiscal year. This Section does not apply to  
13 any funds that are restricted by federal law to a specific use,  
14 to any funds in the Motor Fuel Tax Fund, the Intercity  
15 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid  
16 Provider Relief Fund, the Teacher Health Insurance Security  
17 Fund, the Reviewing Court Alternative Dispute Resolution Fund,  
18 the Voters' Guide Fund, the Foreign Language Interpreter Fund,  
19 the Lawyers' Assistance Program Fund, the Supreme Court Federal  
20 Projects Fund, the Supreme Court Special State Projects Fund,  
21 the Supplemental Low-Income Energy Assistance Fund, the Good  
22 Samaritan Energy Trust Fund, the Low-Level Radioactive Waste  
23 Facility Development and Operation Fund, the Horse Racing  
24 Equity Trust Fund, or the Hospital Basic Services Preservation  
25 Fund, or to any funds to which subsection (f) of Section 20-40  
26 of the Nursing and Advanced Practice Nursing Act applies. No

1 transfers may be made under this Section from the Pet  
2 Population Control Fund. Notwithstanding any other provision  
3 of this Section, for fiscal year 2004, the total transfer under  
4 this Section from the Road Fund or the State Construction  
5 Account Fund shall not exceed the lesser of (i) 5% of the  
6 revenues to be deposited into the fund during that fiscal year  
7 or (ii) 25% of the beginning balance in the fund. For fiscal  
8 year 2005 through fiscal year 2007, no amounts may be  
9 transferred under this Section from the Road Fund, the State  
10 Construction Account Fund, the Criminal Justice Information  
11 Systems Trust Fund, the Wireless Service Emergency Fund, or the  
12 Mandatory Arbitration Fund.

13 In determining the available balance in a fund, the  
14 Governor may include receipts, transfers into the fund, and  
15 other resources anticipated to be available in the fund in that  
16 fiscal year.

17 The State Treasurer and Comptroller shall transfer the  
18 amounts designated under this Section as soon as may be  
19 practicable after receiving the direction to transfer from the  
20 Governor.

21 (a-5) Transfers directed to be made under this Section on  
22 or before February 28, 2006 that are still pending on May 19,  
23 2006 (the effective date of Public Act 94-774) ~~this amendatory~~  
24 ~~Act of the 94th General Assembly~~ shall be redirected as  
25 provided in Section 8n of this Act.

26 (b) This Section does not apply to: (i) the Ticket For The

1 Cure Fund; (ii) any fund established under the Community Senior  
2 Services and Resources Act; or (iii) on or after January 1,  
3 2006 (the effective date of Public Act 94-511), the Child Labor  
4 and Day and Temporary Labor Enforcement Fund.

5 (c) This Section does not apply to the Demutualization  
6 Trust Fund established under the Uniform Disposition of  
7 Unclaimed Property Act.

8 (d) This Section does not apply to moneys set aside in the  
9 Illinois State Podiatric Disciplinary Fund for podiatric  
10 scholarships and residency programs under the Podiatric  
11 Scholarship and Residency Act.

12 (e) Subsection (a) does not apply to, and no transfer may  
13 be made under this Section from, the Pension Stabilization  
14 Fund.

15 (f) This Section does not apply to the Adeline Jay  
16 Geo-Karis Illinois Beach Marina Fund.

17 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,  
18 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;  
19 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.  
20 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.  
21 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,  
22 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;  
23 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773, eff.  
24 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06; 94-839,  
25 eff. 6-6-06; revised 6-19-06.)

26 Section 99. Effective date. This Act takes effect upon



1 becoming law.