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1 AMENDMENT TO HOUSE BILL 32

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 32 by replacing  
3 everything after the enacting clause with the following:

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

6 (20 ILCS 801/1-40 new)

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

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

1 (30 ILCS 105/8.25c) (from Ch. 127, par. 144.25c)

2 Sec. 8.25c. (a) Beginning in fiscal year 1991 and  
3 continuing through the third quarter of fiscal year 1993, the  
4 State Comptroller shall order transferred and the State  
5 Treasurer shall transfer from the Illinois Beach Marina Fund  
6 (now known as the Adeline Jay Geo-Karis Illinois Beach Marina  
7 Fund) to the General Revenue Fund 50% of the revenue deposited  
8 into the Illinois Beach Marina Fund. Beginning in the fourth  
9 quarter of fiscal year 1993 and thereafter until the sum of  
10 \$31,200,000 is paid to the General Revenue Fund, the State  
11 Comptroller shall order transferred and the State Treasurer  
12 shall transfer from the Adeline Jay Geo-Karis Illinois Beach  
13 Marina Fund (formerly known as the Illinois Beach Marina Fund)  
14 to the General Revenue Fund 35% ~~25% of the first \$2,000,000~~ of  
15 revenue deposited into the Adeline Jay Geo-Karis Illinois Beach  
16 Marina Fund (formerly known as the Illinois Beach Marina Fund)  
17 in any fiscal year, ~~and 75% of the revenue deposited into the~~  
18 ~~Adeline Jay Geo-Karis Illinois Beach Marina Fund (formerly~~  
19 ~~known as the Illinois Beach Marina Fund) in excess of~~  
20 ~~\$2,000,000 in any fiscal year; however, such transfers shall~~  
21 ~~not exceed \$2,000,000 in any fiscal year.~~ In addition,  
22 beginning in fiscal year 1991 and thereafter until the sum of  
23 \$8,000,000 is paid to the State Boating Act Fund the State  
24 Comptroller shall order transferred and the State Treasurer  
25 shall transfer from the Adeline Jay Geo-Karis Illinois Beach  
26 Marina Fund (formerly known as the Illinois Beach Marina Fund)

1 to the State Boating Act Fund 15% of the revenue deposited into  
2 the Adeline Jay Geo-Karis Illinois Beach Marina Fund (formerly  
3 known as the Illinois Beach Marina Fund). Beginning in fiscal  
4 year 1992, the transfers from the Adeline Jay Geo-Karis  
5 Illinois Beach Marina Fund (formerly known as the Illinois  
6 Beach Marina Fund) to the State Boating Act Fund shall be made  
7 only at the direction of and in the amount authorized by the  
8 Department of Natural Resources. Moneys transferred under  
9 authorization of this Section to the State Boating Act Fund in  
10 fiscal year 1992 before the effective date of this amendatory  
11 Act of 1991 may be transferred to the Illinois Beach Marina  
12 Fund (now known as the Adeline Jay Geo-Karis Illinois Beach  
13 Marina Fund) at the direction of the Department of Natural  
14 Resources. The transfers required under this Section shall be  
15 made within 30 days after the end of each quarter based on the  
16 State Comptroller's record of receipts for the quarter. The  
17 initial transfers shall be made within 30 days after June 30,  
18 1990 based on revenues received in the preceding quarter.  
19 Additional transfers in excess of the limits established under  
20 this Section may be authorized by the Department of Natural  
21 Resources for accelerated payback of the amount due.

22 (b) The Department may, subject to appropriations by the  
23 General Assembly, use monies in the Adeline Jay Geo-Karis  
24 Illinois Beach Marina Fund (formerly known as the Illinois  
25 Beach Marina Fund) to pay for operation, maintenance, repairs,  
26 or improvements to the marina project; provided, however, that

1 payment of the amounts due under the terms of subsection (a)  
2 shall have priority on all monies deposited in this Fund.

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

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

11 (30 ILCS 105/8h)

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

13 (a) Except as otherwise provided in this Section and  
14 Section 8n of this Act, and ~~(c), (d), or (e)~~, notwithstanding  
15 any other State law to the contrary, the Governor may, through  
16 June 30, 2007, from time to time direct the State Treasurer and  
17 Comptroller to transfer a specified sum from any fund held by  
18 the State Treasurer to the General Revenue Fund in order to  
19 help defray the State's operating costs for the fiscal year.  
20 The total transfer under this Section from any fund in any  
21 fiscal year shall not exceed the lesser of (i) 8% of the  
22 revenues to be deposited into the fund during that fiscal year  
23 or (ii) an amount that leaves a remaining fund balance of 25%  
24 of the July 1 fund balance of that fiscal year. In fiscal year  
25 2005 only, prior to calculating the July 1, 2004 final

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

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

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

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

18 (a-5) Transfers directed to be made under this Section on  
19 or before February 28, 2006 that are still pending on May 19,  
20 2006 (the effective date of Public Act 94-774) ~~this amendatory~~  
21 ~~Act of the 94th General Assembly~~ shall be redirected as  
22 provided in Section 8n of this Act.

23 (b) This Section does not apply to: (i) the Ticket For The  
24 Cure Fund; (ii) any fund established under the Community Senior  
25 Services and Resources Act; or (iii) on or after January 1,  
26 2006 (the effective date of Public Act 94-511), the Child Labor

1 and Day and Temporary Labor Enforcement Fund.

2 (c) This Section does not apply to the Demutualization  
3 Trust Fund established under the Uniform Disposition of  
4 Unclaimed Property Act.

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

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

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

14 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,  
15 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;  
16 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.  
17 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.  
18 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,  
19 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;  
20 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773, eff.  
21 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06; 94-839,  
22 eff. 6-6-06; revised 6-19-06.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law."