



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0923

Introduced 2/7/2007, by Rep. Kurt M. Granberg

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 105/5.675 new

Creates the Port Development Revolving Loan Program Act. Provides that the Department of Commerce and Economic Opportunity may provide grants or interest-free or below market rate loans to port districts in the State for the purposes of enhancing the use of Illinois' navigable waterways and developing inland inter-modal freight facilities within the State. Sets forth the terms and conditions of the grants and loans. Creates the Port Development Revolving Loan Fund. Amends the State Finance Act to make corresponding changes. Effective July 1, 2007.

LRB095 07579 HLH 27729 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

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

4 Section 1. Short title. This Act may be cited as the Port  
5 Development Revolving Loan Program Act.

6 Section 5. Port development loans and grants.

7 (a) The Department of Commerce and Economic Opportunity is  
8 authorized to provide grants or interest-free or below market  
9 rate loans to port districts in the State for the purposes of  
10 enhancing the use of Illinois' navigable waterways and  
11 developing inland inter-modal freight facilities within the  
12 State.

13 (b) Grants and loans are authorized for the purposes  
14 designated in this Section, but only when the applicant  
15 demonstrates to the Department that it is unable to finance the  
16 projects from its own revenue sources or funds.

17 (c) Grant moneys under this Section shall be used by the  
18 port district for eligible project costs that are within the  
19 scope of powers and responsibilities granted in the port  
20 district's enabling legislation. Eligible project costs must  
21 relate to inter-modal freight facilities and may include,  
22 without limitation, establishing or improving roadways,  
23 railroads, and approaches, whether by land or water, to any

1 terminal, terminal facility, or port facility; construction,  
2 repair, or removal of any port, terminal, terminal facility, or  
3 port facility hazard; or the removal or relocation of private  
4 facilities or structures that inhibit the transfer of  
5 inter-modal freight at the port facility.

6 (e) The Department shall provide financing to port  
7 districts based on criteria established by the Department.

8 Section 10. Port development loan and grant conditions.  
9 Port development loans and grants awarded by the Department are  
10 subject to the following conditions:

11 (a) Financial assistance through the loans or grants must  
12 be used for projects authorized under this Act.

13 (b) With respect to port development loans, the Department  
14 shall determine the interest rate, if any, that the loans shall  
15 bear. The Department shall set the terms and conditions for  
16 repayment of the loans. The repayment period shall not exceed  
17 20 years.

18 (c) Repayments of principal and interest on loans made and  
19 any funds collected because of a default or failure to comply  
20 with the terms or conditions of a loan under this program shall  
21 be paid into the Port Development Revolving Loan Fund.

22 (d) The Department may take whatever actions are necessary  
23 or appropriate to protect the State's interest in the event of  
24 default, foreclosure, or noncompliance with the terms and  
25 conditions of the loans or grants provided under this Act,

1 including the power to sell, dispose, lease, or rent, upon  
2 terms and conditions deemed to be appropriate by the  
3 Department, real or personal property which the Department may  
4 receive as a result thereof.

5 Section 15. Port Development Revolving Loan Fund.

6 (a) The Port Development Revolving Loan Fund is created as  
7 a special fund in the State Treasury. The Department shall have  
8 the authority to make expenditures from the Fund, pursuant to  
9 appropriations in furtherance of the purposes of this Act. The  
10 State Treasurer shall be custodian of the Fund and may invest  
11 funds in securities constituting direct obligations of the  
12 United States Government, or in obligations the principal of  
13 and interest on which are guaranteed by the United States  
14 Government, or in certificates of deposit of any State or  
15 national bank that are fully secured by obligations guaranteed  
16 as to principal and interest by the United States Government.

17 (b) Moneys shall be deposited in the Fund from the  
18 following sources:

19 (1) all receipts, including principal and interest  
20 payments and royalties, from any loan agreement made from  
21 the Fund or pursuant to this Act entered into by the  
22 Department;

23 (2) all proceeds of assets of whatever nature received  
24 by the Department as a result of default or delinquency  
25 with respect to loan agreements made from the Fund or from

1 direct appropriations by the General Assembly, including  
2 proceeds from the sale, disposal, lease, or rental of real  
3 or personal property that the Department may receive as a  
4 result thereof;

5 (3) any appropriations, grants, or gifts made to the  
6 Fund; and

7 (4) any income received from interest on investments of  
8 moneys in the Fund.

9 Section 90. The State Finance Act is amended by adding  
10 Section 5.675 as follows:

11 (30 ILCS 105/5.675 new)

12 Sec. 5.675. The Port Development Revolving Loan Fund.

13 Section 99. Effective date. This Act takes effect July 1,  
14 2007.