



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB3571

Introduced 2/28/2007, by Rep. Dan Reitz

SYNOPSIS AS INTRODUCED:

515 ILCS 5/1-230	from Ch. 56, par. 1-230
515 ILCS 5/30-15	from Ch. 56, par. 30-15
520 ILCS 5/1.28	from Ch. 61, par. 1.28
520 ILCS 15/1	from Ch. 61, par. 133
520 ILCS 15/2	from Ch. 61, par. 134

Amends the Fish and Aquatic Life Code, the Wildlife Code, and the Wildlife Restoration Cooperation Act. Provides that certain appropriations and funds shall be used by the Department for the administration and management of fish and wildlife resources of this State. Provides that the Department is required to comply with certain rules and regulations promulgated by the U.S. Secretary of the Interior (now the Secretary of Agriculture). Effective immediately.

LRB095 11348 CMK 32089 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning fish and wildlife.

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

4 Section 5. The Fish and Aquatic Life Code is amended by
5 changing Sections 1-230 and 30-15 as follows:

6 (515 ILCS 5/1-230) (from Ch. 56, par. 1-230)

7 Sec. 1-230. Wildlife and Fish Fund; disposition of money
8 received. All fees, fines, income of whatever kind or nature
9 derived from hunting and fishing activities on lands, waters,
10 or both under the jurisdiction or control of the Department,
11 and all penalties collected under this Code shall be deposited
12 into the State Treasury and shall be set apart in a special
13 fund to be known as the Wildlife and Fish Fund; except that
14 fees derived solely from the sale of salmon stamps, income from
15 art contests for the salmon stamp, including income from the
16 sale of reprints, and gifts, donations, grants, and bequests of
17 money for the conservation and propagation of salmon shall be
18 deposited into the State Treasury and set apart in the special
19 fund to be known as the Salmon Fund; and except that fees
20 derived solely from the sale of state migratory waterfowl
21 stamps, and gifts, donations, grants and bequests of money for
22 the conservation and propagation of waterfowl, shall be
23 deposited into the State Treasury and set apart in the special

1 fund to be known as the State Migratory Waterfowl Stamp Fund.
2 All interest that accrues from moneys in the Wildlife and Fish
3 Fund, the Salmon Fund, and the State Migratory Waterfowl Stamp
4 Fund shall be retained in those funds respectively.
5 Appropriations from the Wildlife and Fish Fund shall be made
6 only to the Department for the carrying out of the powers and
7 functions vested by law in the Department for the
8 administration and management of fish and wildlife resources of
9 this State for such activities as ~~, including~~ (i) the purchase
10 of land for fish hatcheries, wildlife refuges, preserves, and
11 public shooting and fishing grounds; (ii) the purchase and
12 distribution of wild birds, the eggs of wild birds, and wild
13 mammals; (iii) the rescuing, restoring and distributing of
14 fish; (iv) the maintenance of wildlife refuges or preserves,
15 public shooting grounds, public fishing grounds, and fish
16 hatcheries; and (v) the feeding and care of wild birds, wild
17 mammals, and fish. Appropriations from the Salmon Fund shall be
18 made only to the Department to be used solely for the
19 conservation and propagation of salmon, including
20 construction, operation, and maintenance of a cold water
21 hatchery, and for payment of the costs of printing salmon
22 stamps, the expenses incurred in acquiring salmon stamp
23 designs, and the expenses of producing reprints.

24 Appropriations from the State Migratory Waterfowl Stamp
25 Fund shall be made only to the Department to be used solely for
26 the following purposes:

1 (a) 50% of funds derived from the sale of State
2 migratory waterfowl stamps and 100% of all gifts,
3 donations, grants, and bequests of money for the
4 conservation and propagation of waterfowl for projects
5 approved by the Department shall be used for the purpose of
6 attracting waterfowl and improving public migratory
7 waterfowl areas within the State. These projects may
8 include the repair, maintenance, and operation of these
9 areas only in emergencies as determined by the State Duck
10 Stamp Committee; but none of the moneys spent within the
11 State shall be used for administrative expenses.

12 (b) 50% of funds derived from the sale of State
13 migratory waterfowl stamps shall be turned over by the
14 Department to appropriate non-profit organizations for the
15 development of waterfowl propagation areas within the
16 Dominion of Canada or the United States that specifically
17 provide waterfowl for the Mississippi Flyway. Before
18 turning over any moneys from the State Migratory Waterfowl
19 Stamp Fund, the Department shall obtain evidence that the
20 project is acceptable to the appropriate governmental
21 agency of the Dominion of Canada or the United States or of
22 one of its Provinces or States having jurisdiction over the
23 lands and waters affected by the project and shall consult
24 those agencies and the State Duck Stamp Committee for
25 approval before allocating funds.

26 (Source: P.A. 90-743, eff. 1-1-99.)

1 (515 ILCS 5/30-15) (from Ch. 56, par. 30-15)

2 Sec. 30-15. Use of license fees. No funds accruing to the
3 State of Illinois from license fees paid by fishermen shall be
4 diverted for any other purpose than the administration of the
5 Department of Natural Resources for the management of fish and
6 wildlife resources of the State.

7 (Source: P.A. 89-445, eff. 2-7-96.)

8 Section 10. The Wildlife Code is amended by changing
9 Section 1.28 as follows:

10 (520 ILCS 5/1.28) (from Ch. 61, par. 1.28)

11 Sec. 1.28. Fees and fines; deposit in funds. All fees,
12 fines, including bond forfeitures, income of whatsoever kind or
13 nature derived from hunting and fishing activities on lands or
14 waters or both under the jurisdiction or control of the
15 Department, and all penalties collected under this Act shall be
16 deposited in the State Treasury and shall be set apart in a
17 special fund to be known as the "Wildlife and Fish Fund";
18 except that fees derived solely from the sale of salmon stamps,
19 income from art contests for the salmon stamp, including income
20 from the sale of reprints, and gifts, donations, grants and
21 bequests of money for the conservation and propagation of
22 salmon shall be deposited in the State Treasury and set apart
23 in the special fund to be known as the "Salmon Fund"; and

1 except that fees derived solely from the sale of state
2 migratory waterfowl stamps, and gifts, donations, grants and
3 bequests of money for the conservation and propagation of
4 waterfowl shall be deposited in the special fund to be known as
5 the "State Migratory Waterfowl Stamp Fund"; and except that, of
6 fees derived solely from the sale of State Habitat Stamps, 64%
7 shall be deposited into the Illinois Habitat Fund, 30% into the
8 State Pheasant Fund, and 6% into the State Furbearer Fund.
9 Income generated from the sale of artwork associated with the
10 State Habitat Stamps shall be deposited into the Illinois
11 Habitat Fund. All interest that accrues from monies deposited
12 into the Wildlife and Fish Fund, the Salmon Fund, the State
13 Migratory Waterfowl Stamp Fund, the State Furbearer Fund, the
14 State Pheasant Fund, and the Illinois Habitat Fund shall be
15 deposited into those funds, respectively. Appropriations from
16 the "Wildlife and Fish Fund" shall be made only to the
17 Department for the carrying out of the powers and functions
18 vested by law in the Department for the administration and
19 management of fish and wildlife resources of this State for
20 such activities as ~~, including but not limited to~~ the purchase
21 of land for fish hatcheries, wildlife refuges, preserves and
22 public shooting and fishing grounds; the purchase and
23 distribution of wild birds, the eggs of wild birds, and wild
24 mammals for rescuing, restoring and distributing fish; the
25 maintenance of wildlife refuges, or preserves, public shooting
26 grounds, public fishing grounds and fish hatcheries; and the

1 feeding and care of wild birds, wild animals and fish.

2 (Source: P.A. 87-135; 87-1015.)

3 Section 15. The Wildlife Restoration Cooperation Act is
4 amended by changing Sections 1 and 2 as follows:

5 (520 ILCS 15/1) (from Ch. 61, par. 133)

6 Sec. 1. The State of Illinois, hereby assents to the
7 provisions of the act of Congress entitled "An Act to provide
8 that the United States shall aid the States in
9 wildlife-restoration projects, and for other purposes,"
10 approved September 2, 1937 (Public No. 415, 75th Congress), and
11 the Department of Natural Resources is hereby authorized,
12 empowered, and directed to perform such acts as may be
13 necessary for the conduct and establishment of cooperative
14 wildlife-restoration projects, as defined in said Act of
15 Congress, in compliance with that Act and with rules and
16 regulations promulgated by the Secretary of the Interior
17 ~~Agriculture~~ thereunder.

18 (Source: P.A. 89-445, eff. 2-7-96.)

19 (520 ILCS 15/2) (from Ch. 61, par. 134)

20 Sec. 2. No funds accruing to the State of Illinois from
21 license fees paid by hunters shall be diverted for any other
22 purpose than the administration of the Department of Natural
23 Resources for the management of fish and wildlife resources of

1 the State ~~said Department.~~

2 (Source: Laws 1939, p. 651.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.