



Sen. John J. Cullerton

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09600HB0255sam003

LRB096 03503 RCE 27242 a

1 AMENDMENT TO HOUSE BILL 255

2 AMENDMENT NO. _____. Amend House Bill 255, AS AMENDED,
3 with reference to page and line numbers of Senate Amendment No.
4 1, on page 184, immediately below line 3, by inserting the
5 following:

6 "Section 950. The Environmental Protection Act is amended
7 by changing Section 57.11 as follows:

8 (415 ILCS 5/57.11)

9 Sec. 57.11. Underground Storage Tank Fund; creation.

10 (a) There is hereby created in the State Treasury a special
11 fund to be known as the Underground Storage Tank Fund. There
12 shall be deposited into the Underground Storage Tank Fund all
13 monies received by the Office of the State Fire Marshal as fees
14 for underground storage tanks under Sections 4 and 5 of the
15 Gasoline Storage Act and as fees pursuant to the Motor Fuel Tax
16 Law. All amounts held in the Underground Storage Tank Fund

1 shall be invested at interest by the State Treasurer. All
2 income earned from the investments shall be deposited into the
3 Underground Storage Tank Fund no less frequently than
4 quarterly. Moneys in the Underground Storage Tank Fund,
5 pursuant to appropriation, may be used by the Agency and the
6 Office of the State Fire Marshal for the following purposes:

7 (1) To take action authorized under Section 57.12 to
8 recover costs under Section 57.12.

9 (2) To assist in the reduction and mitigation of damage
10 caused by leaks from underground storage tanks, including
11 but not limited to, providing alternative water supplies to
12 persons whose drinking water has become contaminated as a
13 result of those leaks.

14 (3) To be used as a matching amount towards federal
15 assistance relative to the release of petroleum from
16 underground storage tanks.

17 (4) For the costs of administering activities of the
18 Agency and the Office of the State Fire Marshal relative to
19 the Underground Storage Tank Fund.

20 (5) For payment of costs of corrective action incurred
21 by and indemnification to operators of underground storage
22 tanks as provided in this Title.

23 (6) For a total of 2 demonstration projects in amounts
24 in excess of a \$10,000 deductible charge designed to assess
25 the viability of corrective action projects at sites which
26 have experienced contamination from petroleum releases.

1 Such demonstration projects shall be conducted in
2 accordance with the provision of this Title.

3 (7) Subject to appropriation, moneys in the
4 Underground Storage Tank Fund may also be used by the
5 Department of Revenue for the costs of administering its
6 activities relative to the Fund and for refunds provided
7 for in Section 13a.8 of the Motor Fuel Tax Act.

8 (b) Moneys in the Underground Storage Tank Fund may,
9 pursuant to appropriation, be used by the Office of the State
10 Fire Marshal or the Agency to take whatever emergency action is
11 necessary or appropriate to assure that the public health or
12 safety is not threatened whenever there is a release or
13 substantial threat of a release of petroleum from an
14 underground storage tank and for the costs of administering its
15 activities relative to the Underground Storage Tank Fund.

16 (c) Beginning July 1, 1993, the Governor shall certify to
17 the State Comptroller and State Treasurer the monthly amount
18 necessary to pay debt service on State obligations issued
19 pursuant to Section 6 of the General Obligation Bond Act. On
20 the last day of each month, the Comptroller shall order
21 transferred and the Treasurer shall transfer from the
22 Underground Storage Tank Fund to the General Obligation Bond
23 Retirement and Interest Fund the amount certified by the
24 Governor, plus any cumulative deficiency in those transfers for
25 prior months.

26 (d) Except as provided in subsection (c) of this Section,

1 the Underground Storage Tank Fund is not subject to
2 administrative charges authorized under Section 8h of the State
3 Finance Act that would in any way transfer any funds from the
4 Underground Storage Tank Fund into any other fund of the State.

5 (Source: P.A. 90-491, eff. 1-1-98.); and

6 on page 277, line 19, by replacing "2010" with "2010; but this
7 Act does not take effect at all unless House Bill 312 of the
8 96th General Assembly, as amended, becomes law".