



Rep. Patricia R. Bellock

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09600HB5611ham001

LRB096 18592 JDS 39330 a

1 AMENDMENT TO HOUSE BILL 5611

2 AMENDMENT NO. _____. Amend House Bill 5611 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding
5 Section 5.755 as follows:

6 (30 ILCS 105/5.755 new)

7 Sec. 5.755. The Lake Michigan Ecosystem Protection Fund.

8 Section 10. The Rivers, Lakes, and Streams Act is amended
9 by adding Section 14b as follows:

10 (615 ILCS 5/14b new)

11 Sec. 14b. Permit requirements for ocean-going vessels
12 engaging in port operations in this State; Lake Michigan
13 Ecosystem Protection Fund.

14 (a) Beginning January 1, 2013, all ocean-going vessels

1 engaging in port operations in the State shall obtain a permit
2 from the Department of Natural Resources. The Department may
3 issue a permit for an ocean-going vessel only if:

4 (1) the applicant demonstrates that the ocean-going
5 vessel will not discharge aquatic nuisance species; or

6 (2) for ocean-going vessels that discharge ballast
7 water or other waste or waste effluent, the operator of the
8 vessel uses environmentally sound technologies and
9 methods, as determined by the Department, to prevent the
10 discharge of aquatic nuisance species.

11 (b) The Department of Natural Resources shall cooperate to
12 the fullest extent practical with other Great Lakes basin
13 states, the Canadian Great Lakes provinces, the Great Lakes
14 Panel on Aquatic Nuisance Species, the Great Lakes Fishery
15 Commission, the International Joint Commission, and the Great
16 Lakes Commission in order to ensure the development of
17 standards, for the control of aquatic nuisance species, that
18 are broadly protective of the waters of the State and other
19 natural resources.

20 (c) In developing the permit process and any standards
21 under this Section, the Director of Natural Resources is
22 encouraged to consult with the Director of Commerce and
23 Economic Opportunity, the Director of Agriculture, the
24 Director of the Environmental Protection Agency, and the
25 executive officer of any other State agency with whom the
26 Director of Natural Resources determines it would be useful to

1 consult.

2 (d) The Department of Natural Resources shall establish
3 reasonable permit fees for permits required under this Section.
4 The Department may adopt rules to administer the fee program
5 established in this Section. The Department may include
6 provisions pertaining to invoices, notice of late payment,
7 refunds, and disputes concerning the amount or timeliness of
8 payment. The Department may set forth procedures and criteria
9 for the acceptance of payments. All fees and interest penalties
10 collected by the Department under this Section shall be
11 deposited into the Lake Michigan Ecosystem Protection Fund.

12 (e) The Department of Natural Resources shall adopt rules
13 to implement this Section.

14 (f) The Lake Michigan Ecosystem Protection Fund is created
15 as a special fund in the State treasury for the collection of
16 fees and interest penalties by the Department of Natural
17 Resources under this Section. Moneys in the Fund may be used by
18 the Department, subject to appropriation, for administrative
19 and programmatic expenses arising under this Section. Earnings
20 attributable to moneys in the Fund shall be deposited into the
21 Fund.

22 (g) This Section and the requirements imposed under it are
23 inoperable to the extent that the Department of Natural
24 Resources has not received appropriations sufficient to carry
25 out its obligations under this Section.

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".