



Sen. Rickey R. Hendon

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09300HB7181sam002

LRB093 16374 RCE 51758 a

1 AMENDMENT TO HOUSE BILL 7181

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 7181, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The State Finance Act is amended by adding  
6 Section 8.43 as follows:

7 (30 ILCS 105/8.43 new)

8 Sec. 8.43. Special fund transfers.

9 (a) In order to maintain the integrity of special funds,  
10 enhance the Budget Stabilization Fund, and improve stability in  
11 the General Revenue Fund, the following transfers are  
12 authorized from the designated funds into the Budget  
13 Stabilization Fund:

14	<u>FARMER AND AGRIBUSINESS LOAN GUARANTEE FUND</u>	<u>.....\$2,000,000</u>
15	<u>NATURAL AREAS ACQUISITION FUND</u>	<u>.....\$3,400,000</u>
16	<u>OPEN SPACE LANDS ACQUISITION</u>	
17	<u>AND DEVELOPMENT FUND</u>	<u>..... \$22,750,000</u>
18	<u>SECRETARY OF STATE SPECIAL LICENSE</u>	
19	<u>PLATE FUND</u>	<u>.....\$856,000</u>
20	<u>SECURITIES INVESTORS EDUCATION FUND</u>	<u>.....\$3,271,000</u>
21	<u>SECURITIES AUDIT &amp; ENFORCEMENT FUND</u>	<u>..... \$17,014,000</u>
22	<u>DEPARTMENT OF BUSINESS SERVICES SPECIAL</u>	
23	<u>OPERATIONS FUND</u>	<u>.....\$524,000</u>
24	<u>SECRETARY OF STATE SPECIAL SERVICES FUND</u>	<u>.....\$600,000</u>

1	<u>SECRETARY OF STATE DUI ADMINISTRATION FUND</u> .....	\$582,000
2	<u>FOOD &amp; DRUG SAFETY FUND</u> .....	\$817,000
3	<u>TRANSPORTATION REGULATORY FUND</u> .....	\$2,379,000
4	<u>FINANCIAL INSTITUTION FUND</u> .....	\$2,003,000
5	<u>GENERAL PROFESSIONS DEDICATED FUND</u> .....	\$497,000
6	<u>DRIVERS EDUCATION FUND</u> .....	\$2,967,000
7	<u>STATE BOATING ACT FUND</u> .....	\$1,072,000
8	<u>STATE PARKS FUND</u> .....	\$2,817,000
9	<u>AGRICULTURAL PREMIUM FUND</u> .....	\$7,777,000
10	<u>FIRE PREVENTION FUND</u> .....	\$19,850,000
11	<u>ILLINOIS STATE PHARMACY DISCIPLINARY FUND</u> .....	\$4,377,000
12	<u>PUBLIC UTILITY FUND</u> .....	\$8,202,000
13	<u>RADIATION PROTECTION FUND</u> .....	\$750,000
14	<u>SOLID WASTE MANAGEMENT FUND</u> .....	\$9,084,000
15	<u>SUBTITLE D MANAGEMENT FUND</u> .....	\$3,006,000
16	<u>ILLINOIS STATE MEDICAL DISCIPLINARY FUND</u> .....	\$7,365,000
17	<u>DEPARTMENT OF CHILDREN AND FAMILY SERVICES</u>	
18	<u>TRAINING FUND</u> .....	\$4,000,000
19	<u>NEW TECHNOLOGY RECOVERY FUND</u> .....	\$1,200,000
20	<u>PLUGGING AND RESTORATION FUND</u> .....	\$1,255,000
21	<u>REGISTERED CERTIFIED PUBLIC ACCOUNTANTS</u>	
22	<u>ADMINISTRATION AND DISCIPLINARY FUND</u> .....	\$819,000
23	<u>WEIGHTS AND MEASURES FUND</u> .....	\$1,800,000
24	<u>SOLID WASTE MANAGEMENT REVOLVING LOAN FUND</u> .....	\$647,000
25	<u>RESPONSE CONTRACTORS INDEMNIFICATION FUND</u> .....	\$107,000
26	<u>BROWNFIELDS REDEVELOPMENT FUND</u> .....	\$5,100,000
27	<u>CAPITAL DEVELOPMENT BOARD REVOLVING LOAN FUND</u> .....	\$1,229,000
28	<u>PROFESSIONS INDIRECT COST FUND</u> .....	\$39,000
29	<u>ILLINOIS HEALTH FACILITIES PLANNING FUND</u> .....	\$2,351,000
30	<u>CREDIT UNION FUND</u> .....	\$4,372,000
31	<u>SAVINGS AND RESIDENTIAL FINANCE REGULATORY</u>	
32	<u>FUND</u> .....	\$4,045,000
33	<u>FAIR AND EXPOSITION FUND</u> .....	\$2,913,000
34	<u>NURSING DEDICATED AND PROFESSIONAL FUND</u> .....	\$2,650,000

1	<u>OPTOMETRIC LICENSING AND DISCIPLINARY</u>	
2	<u>BOARD FUND</u> .....	\$1,121,000
3	<u>STATE RAIL FREIGHT LOAN REPAYMENT FUND</u> .....	\$3,500,000
4	<u>ILLINOIS TAX INCREMENT FUND</u> .....	\$1,500,000
5	<u>COMMUNITY WATER SUPPLY LABORATORY FUND</u> .....	\$1,876,000
6	<u>USED TIRE MANAGEMENT FUND</u> .....	\$3,278,000
7	<u>ILLINOIS COMMUNITY COLLEGE BOARD CONTRACTS</u>	
8	<u>AND GRANTS FUND</u> .....	\$404,000
9	<u>AUDIT EXPENSE FUND</u> .....	\$1,237,000
10	<u>IMSA SPECIAL PURPOSES TRUST FUND</u> .....	\$1,000,000
11	<u>DRUG TREATMENT FUND</u> .....	\$1,379,000
12	<u>PLUMBING LICENSURE AND PROGRAM FUND</u> .....	\$1,400,000
13	<u>INSURANCE PREMIUM TAX REFUND FUND</u> .....	\$2,500,000
14	<u>CORPORATE FRANCHISE TAX REFUND FUND</u> .....	\$1,650,000
15	<u>TAX COMPLIANCE AND ADMINISTRATION FUND</u> .....	\$9,513,000
16	<u>APPRAISAL ADMINISTRATION FUND</u> .....	\$1,107,000
17	<u>EARLY INTERVENTION SERVICES REVOLVING FUND</u> .....	\$6,392,000
18	<u>STATE ASSET FORFEITURE FUND</u> .....	\$1,500,000
19	<u>FEDERAL ASSET FORFEITURE FUND</u> .....	\$3,943,000
20	<u>DEPARTMENT OF CORRECTIONS REIMBURSEMENT</u>	
21	<u>AND EDUCATION FUND</u> .....	\$14,500,000
22	<u>LEADS MAINTENANCE FUND</u> .....	\$2,000,000
23	<u>STATE OFFENDER DNA IDENTIFICATION SYSTEM FUND</u> .....	\$250,000
24	<u>PUBLIC PENSION REGULATION FUND</u> .....	\$923,000
25	<u>DRYCLEANER ENVIRONMENTAL RESPONSE TRUST FUND</u> .....	\$5,457,000
26	<u>WORKFORCE, TECHNOLOGY, AND ECONOMIC</u>	
27	<u>DEVELOPMENT FUND</u> .....	\$1,500,000
28	<u>RENEWABLE ENERGY RESOURCES TRUST FUND</u> .....	\$9,510,000
29	<u>ENERGY EFFICIENCY TRUST FUND</u> .....	\$3,040,000
30	<u>CONSERVATION 2000 FUND</u> .....	\$7,439,000
31	<u>FUND FOR ILLINOIS' FUTURE</u> .....	\$29,900,000
32	<u>HORSE RACING FUND</u> .....	\$2,500,000
33	<u>DEATH CERTIFICATE SURCHARGE FUND</u> .....	\$500,000
34	<u>STATE POLICE WIRELESS SERVICE EMERGENCY FUND</u> .....	\$500,000

1	<u>WHISTLEBLOWER REWARD AND PROTECTION FUND</u>	.....\$750,000
2	<u>ILLINOIS THOROUGHBRED BREEDERS FUND</u>	.....\$700,000
3	<u>TOBACCO SETTLEMENT RECOVERY FUND</u>	..... \$19,300,000
4	<u>PRESIDENTIAL LIBRARY AND MUSEUM FUND</u>	.....\$500,000
5	<u>BANK AND TRUST COMPANY FUND</u>	.....\$3,951,000
6	<u>MEDICAL SPECIAL PURPOSES TRUST FUND</u>	.....\$967,000
7	<u>DRAM SHOP FUND</u>	.....\$1,517,000
8	<u>ILLINOIS STATE DENTAL DISCIPLINARY FUND</u>	.....\$102,000
9	<u>HAZARDOUS WASTE FUND</u>	.....\$1,500,000
10	<u>REAL ESTATE LICENSE ADMINISTRATION FUND</u>	.....\$2,370,000
11	<u>CRIMINAL JUSTICE INFORMATION SYSTEMS</u>	
12	<u>TRUST FUND</u>	.....\$1,200,000
13	<u>DESIGN PROFESSIONALS ADMINISTRATION AND</u>	
14	<u>INVESTIGATION FUND</u>	.....\$1,172,000
15	<u>ILLINOIS FORESTRY DEVELOPMENT FUND</u>	.....\$1,257,000
16	<u>STATE POLICE SERVICES FUND</u>	.....\$250,000
17	<u>METABOLIC SCREENING AND TREATMENT FUND</u>	.....\$3,435,000
18	<u>INSURANCE PRODUCER ADMINISTRATION FUND</u>	..... \$12,727,000
19	<u>LOW-LEVEL RADIOACTIVE WASTE FACILITY</u>	
20	<u>DEVELOPMENT AND OPERATION FUND</u>	.....\$2,202,000
21	<u>LOW-LEVEL RADIOACTIVE WASTE FACILITY CLOSURE,</u>	
22	<u>POST-CLOSURE CARE AND COMPENSATION FUND</u>	.....\$6,000,000
23	<u>ENVIRONMENTAL PROTECTION PERMIT AND</u>	
24	<u>INSPECTION FUND</u>	.....\$874,000
25	<u>PARK AND CONSERVATION FUND</u>	.....\$8,813,000
26	<u>PUBLIC INFRASTRUCTURE CONSTRUCTION LOAN</u>	
27	<u>REVOLVING FUND</u>	.....\$1,822,000
28	<u>INSURANCE FINANCIAL REGULATION FUND</u>	.....\$2,992,000
29	<u>LOBBYIST REGISTRATION ADMINISTRATION FUND</u>	.....\$327,000
30	<u>DIVISION OF CORPORATIONS REGISTERED</u>	
31	<u>LIMITED LIABILITY PARTNERSHIP FUND</u>	.....\$356,000
32	<u>WORKING CAPITAL REVOLVING FUND</u>	
33	<u>(30 ILCS 105/6)</u>	..... \$10,000,000
34	<u>MOTOR VEHICLE REVIEW BOARD FUND</u>	.....\$673,000

1 ILLINOIS AGRICULTURAL LOAN GUARANTEE FUND .....\$3,000,000

2 All of these transfers shall be made on July 1, 2004, or as  
3 soon thereafter as practical. These transfers shall be made  
4 notwithstanding any other provision of State law to the  
5 contrary.

6 (b) On and after July 1, 2004 through June 30, 2005, when  
7 any of the funds listed in subsection (a) have insufficient  
8 cash from which the State Comptroller may make expenditures  
9 properly supported by appropriations from the fund, then the  
10 State Treasurer and State Comptroller shall transfer from the  
11 General Revenue Fund to the fund only such amount as is  
12 immediately necessary to satisfy outstanding expenditure  
13 obligations on a timely basis, subject to the provisions of the  
14 State Prompt Payment Act. Any amounts transferred from the  
15 General Revenue Fund to a fund pursuant to this subsection (b)  
16 from time to time shall be re-transferred by the State  
17 Comptroller and the State Treasurer from the receiving fund  
18 into the General Revenue Fund as soon as and to the extent that  
19 deposits are made into or receipts are collected by the  
20 receiving fund. In all events, the full amounts of all  
21 transfers from the General Revenue Fund to receiving funds  
22 shall be re-transferred to the General Revenue Fund no later  
23 than June 30, 2005.

24 (c) The sum of \$25,277,000 shall be transferred from the  
25 Unclaimed Property Trust Fund (765 ILCS 1028/18) to the State  
26 Pensions Fund on July 1, 2004, or as soon thereafter as  
27 practical.

28 The sum of \$92,370,000 shall be transferred, pursuant to  
29 appropriation, from the State Pensions Fund to the designated  
30 retirement systems (as defined in Section 8.12 of the State  
31 Finance Act) on July 1, 2004, or as soon thereafter as  
32 practical. This transfer is intended to be all or part of the  
33 transfer required under Section 8.12 of the State Finance Act  
34 for fiscal year 2005.

1       (d) The sum of \$49,775,000 shall be transferred from the  
2 School Technology Revolving Loan Fund to the Common School Fund  
3 on July 1, 2004, or as soon thereafter as practical,  
4 notwithstanding any other provision of State law to the  
5 contrary.

6       Section 10. The Illinois Low-Level Radioactive Waste  
7 Management Act is amended by changing Section 13 as follows:

8       (420 ILCS 20/13) (from Ch. 111 1/2, par. 241-13)

9       Sec. 13. Waste fees.

10       (a) The Department shall collect a fee from each generator  
11 of low-level radioactive wastes in this State. Except as  
12 provided in subsections (b), (c), and (d), the amount of the  
13 fee shall be \$50.00 or the following amount, whichever is  
14 greater:

15           (1) \$1 per cubic foot of waste shipped for storage,  
16 treatment or disposal if storage of the waste for shipment  
17 occurred prior to September 7, 1984;

18           (2) \$2 per cubic foot of waste stored for shipment if  
19 storage of the waste occurs on or after September 7, 1984,  
20 but prior to October 1, 1985;

21           (3) \$3 per cubic foot of waste stored for shipment if  
22 storage of the waste occurs on or after October 1, 1985;

23           (4) \$2 per cubic foot of waste shipped for storage,  
24 treatment or disposal if storage of the waste for shipment  
25 occurs on or after September 7, 1984 but prior to October  
26 1, 1985, provided that no fee has been collected previously  
27 for storage of the waste;

28           (5) \$3 per cubic foot of waste shipped for storage,  
29 treatment or disposal if storage of the waste for shipment  
30 occurs on or after October 1, 1985, provided that no fees  
31 have been collected previously for storage of the waste.

32       Such fees shall be collected annually or as determined by

1 the Department and shall be deposited in the low-level  
2 radioactive waste funds as provided in Section 14 of this Act.  
3 Notwithstanding any other provision of this Act, no fee under  
4 this Section shall be collected from a generator for waste  
5 generated incident to manufacturing before December 31, 1980,  
6 and shipped for disposal outside of this State before December  
7 31, 1992, as part of a site reclamation leading to license  
8 termination.

9 (b) Each nuclear power reactor in this State for which an  
10 operating license has been issued by the Nuclear Regulatory  
11 Commission shall not be subject to the fee required by  
12 subsection (a) with respect to (1) waste stored for shipment if  
13 storage of the waste occurs on or after January 1, 1986; and  
14 (2) waste shipped for storage, treatment or disposal if storage  
15 of the waste for shipment occurs on or after January 1, 1986.  
16 In lieu of the fee, each reactor shall be required to pay an  
17 annual fee as provided in this subsection for the treatment,  
18 storage and disposal of low-level radioactive waste. Beginning  
19 with State fiscal year 1986 and through State fiscal year 1997,  
20 fees shall be due and payable on January 1st of each year. For  
21 State fiscal year 1998 and all subsequent State fiscal years,  
22 fees shall be due and payable on July 1 of each fiscal year.  
23 The fee due on July 1, 1997 shall be payable on that date, or  
24 within 10 days after the effective date of this amendatory Act  
25 of 1997, whichever is later.

26 The owner of any nuclear power reactor that has an  
27 operating license issued by the Nuclear Regulatory Commission  
28 for any portion of State fiscal year 1998 shall continue to pay  
29 an annual fee of \$90,000 for the treatment, storage, and  
30 disposal of low-level radioactive waste through State fiscal  
31 year 2002. The fee shall be due and payable on July 1 of each  
32 fiscal year. The fee due on July 1, 1998 shall be payable on  
33 that date, or within 10 days after the effective date of this  
34 amendatory Act of 1998, whichever is later. ~~If the balance in~~

1 ~~the Low-Level Radioactive Waste Facility Development and~~  
2 ~~Operation Fund falls below \$500,000, as of the end of any~~  
3 ~~fiscal year after fiscal year 2002, the Department is~~  
4 ~~authorized to assess by rule, after notice and a hearing, an~~  
5 ~~additional annual fee to be paid by the owners of nuclear power~~  
6 ~~reactors for which operating licenses have been issued by the~~  
7 ~~Nuclear Regulatory Commission. The additional annual fee shall~~  
8 ~~be payable on the date or dates specified by rule and shall not~~  
9 ~~exceed \$30,000 per operating reactor per year.~~

10 (c) In each of State fiscal years 1988, 1989 and 1990, in  
11 addition to the fee imposed in subsections (b) and (d), the  
12 owner of each nuclear power reactor in this State for which an  
13 operating license has been issued by the Nuclear Regulatory  
14 Commission shall pay a fee of \$408,000. If an operating license  
15 is issued during one of those 3 fiscal years, the owner shall  
16 pay a prorated amount of the fee equal to \$1,117.80 multiplied  
17 by the number of days in the fiscal year during which the  
18 nuclear power reactor was licensed.

19 The fee shall be due and payable as follows: in fiscal year  
20 1988, \$204,000 shall be paid on October 1, 1987 and \$102,000  
21 shall be paid on each of January 1, 1988 and April 1, 1988; in  
22 fiscal year 1989, \$102,000 shall be paid on each of July 1,  
23 1988, October 1, 1988, January 1, 1989 and April 1, 1989; and  
24 in fiscal year 1990, \$102,000 shall be paid on each of July 1,  
25 1989, October 1, 1989, January 1, 1990 and April 1, 1990. If  
26 the operating license is issued during one of the 3 fiscal  
27 years, the owner shall be subject to those payment dates, and  
28 their corresponding amounts, on which the owner possesses an  
29 operating license and, on June 30 of the fiscal year of  
30 issuance of the license, whatever amount of the prorated fee  
31 remains outstanding.

32 All of the amounts collected by the Department under this  
33 subsection (c) shall be deposited into the Low-Level  
34 Radioactive Waste Facility Development and Operation Fund

1 created under subsection (a) of Section 14 of this Act and  
2 expended, subject to appropriation, for the purposes provided  
3 in that subsection.

4 (d) In addition to the fees imposed in subsections (b) and  
5 (c), the owners of nuclear power reactors in this State for  
6 which operating licenses have been issued by the Nuclear  
7 Regulatory Commission shall pay the following fees for each  
8 such nuclear power reactor: for State fiscal year 1989,  
9 \$325,000 payable on October 1, 1988, \$162,500 payable on  
10 January 1, 1989, and \$162,500 payable on April 1, 1989; for  
11 State fiscal year 1990, \$162,500 payable on July 1, \$300,000  
12 payable on October 1, \$300,000 payable on January 1 and  
13 \$300,000 payable on April 1; for State fiscal year 1991, either  
14 (1) \$150,000 payable on July 1, \$650,000 payable on September  
15 1, \$675,000 payable on January 1, and \$275,000 payable on April  
16 1, or (2) \$150,000 on July 1, \$130,000 on the first day of each  
17 month from August through December, \$225,000 on the first day  
18 of each month from January through March and \$92,000 on the  
19 first day of each month from April through June; for State  
20 fiscal year 1992, \$260,000 payable on July 1, \$900,000 payable  
21 on September 1, \$300,000 payable on October 1, \$150,000 payable  
22 on January 1, and \$100,000 payable on April 1; for State fiscal  
23 year 1993, \$100,000 payable on July 1, \$230,000 payable on  
24 August 1 or within 10 days after July 31, 1992, whichever is  
25 later, and \$355,000 payable on October 1; for State fiscal year  
26 1994, \$100,000 payable on July 1, \$75,000 payable on October 1  
27 and \$75,000 payable on April 1; for State fiscal year 1995,  
28 \$100,000 payable on July 1, \$75,000 payable on October 1, and  
29 \$75,000 payable on April 1, for State fiscal year 1996,  
30 \$100,000 payable on July 1, \$75,000 payable on October 1, and  
31 \$75,000 payable on April 1. The owner of any nuclear power  
32 reactor that has an operating license issued by the Nuclear  
33 Regulatory Commission for any portion of State fiscal year 1998  
34 shall pay an annual fee of \$30,000 through State fiscal year

1 2003. For State fiscal year 2004 and subsequent fiscal years,  
2 the owner of any nuclear power reactor that has an operating  
3 license issued by the Nuclear Regulatory Commission shall pay  
4 an annual fee of \$30,000 per reactor, provided that the fee  
5 shall not apply to a nuclear power reactor with regard to which  
6 the owner notified the Nuclear Regulatory Commission during  
7 State fiscal year 1998 that the nuclear power reactor  
8 permanently ceased operations. The fee shall be due and payable  
9 on July 1 of each fiscal year. The fee due on July 1, 1998 shall  
10 be payable on that date, or within 10 days after the effective  
11 date of this amendatory Act of 1998, whichever is later. The  
12 fee due on July 1, 1997 shall be payable on that date or within  
13 10 days after the effective date of this amendatory Act of  
14 1997, whichever is later. If the payments under this subsection  
15 for fiscal year 1993 due on January 1, 1993, or on April 1,  
16 1993, or both, were due before the effective date of this  
17 amendatory Act of the 87th General Assembly, then those  
18 payments are waived and need not be made.

19 All of the amounts collected by the Department under this  
20 subsection (d) shall be deposited into the Low-Level  
21 Radioactive Waste Facility Development and Operation Fund  
22 created pursuant to subsection (a) of Section 14 of this Act  
23 and expended, subject to appropriation, for the purposes  
24 provided in that subsection.

25 All payments made by licensees under this subsection (d)  
26 for fiscal year 1992 that are not appropriated and obligated by  
27 the Department above \$1,750,000 per reactor in fiscal year  
28 1992, shall be credited to the licensees making the payments to  
29 reduce the per reactor fees required under this subsection (d)  
30 for fiscal year 1993.

31 (e) The Department shall promulgate rules and regulations  
32 establishing standards for the collection of the fees  
33 authorized by this Section. The regulations shall include, but  
34 need not be limited to:

1           (1) the records necessary to identify the amounts of  
2           low-level radioactive wastes produced;

3           (2) the form and submission of reports to accompany the  
4           payment of fees to the Department; and

5           (3) the time and manner of payment of fees to the  
6           Department, which payments shall not be more frequent than  
7           quarterly.

8           (f) Any operating agreement entered into under subsection  
9           (b) of Section 5 of this Act between the Department and any  
10          disposal facility contractor shall, subject to the provisions  
11          of this Act, authorize the contractor to impose upon and  
12          collect from persons using the disposal facility fees designed  
13          and set at levels reasonably calculated to produce sufficient  
14          revenues (1) to pay all costs and expenses properly incurred or  
15          accrued in connection with, and properly allocated to,  
16          performance of the contractor's obligations under the  
17          operating agreement, and (2) to provide reasonable and  
18          appropriate compensation or profit to the contractor under the  
19          operating agreement. For purposes of this subsection (f), the  
20          term "costs and expenses" may include, without limitation, (i)  
21          direct and indirect costs and expenses for labor, services,  
22          equipment, materials, insurance and other risk management  
23          costs, interest and other financing charges, and taxes or fees  
24          in lieu of taxes; (ii) payments to or required by the United  
25          States, the State of Illinois or any agency or department  
26          thereof, the Central Midwest Interstate Low-Level Radioactive  
27          Waste Compact, and subject to the provisions of this Act, any  
28          unit of local government; (iii) amortization of capitalized  
29          costs with respect to the disposal facility and its  
30          development, including any capitalized reserves; and (iv)  
31          payments with respect to reserves, accounts, escrows or trust  
32          funds required by law or otherwise provided for under the  
33          operating agreement.

34          (g) (Blank).

1 (h) (Blank).

2 (i) (Blank).

3 (j) (Blank).

4 (j-5) Prior to commencement of facility operations, the  
5 Department shall adopt rules providing for the establishment  
6 and collection of fees and charges with respect to the use of  
7 the disposal facility as provided in subsection (f) of this  
8 Section.

9 (k) The regional disposal facility shall be subject to ad  
10 valorem real estate taxes lawfully imposed by units of local  
11 government and school districts with jurisdiction over the  
12 facility. No other local government tax, surtax, fee or other  
13 charge on activities at the regional disposal facility shall be  
14 allowed except as authorized by the Department.

15 (l) The Department shall have the power, in the event that  
16 acceptance of waste for disposal at the regional disposal  
17 facility is suspended, delayed or interrupted, to impose  
18 emergency fees on the generators of low-level radioactive  
19 waste. Generators shall pay emergency fees within 30 days of  
20 receipt of notice of the emergency fees. The Department shall  
21 deposit all of the receipts of any fees collected under this  
22 subsection into the Low-Level Radioactive Waste Facility  
23 Development and Operation Fund created under subsection (b) of  
24 Section 14. Emergency fees may be used to mitigate the impacts  
25 of the suspension or interruption of acceptance of waste for  
26 disposal. The requirements for rulemaking in the Illinois  
27 Administrative Procedure Act shall not apply to the imposition  
28 of emergency fees under this subsection.

29 (m) The Department shall promulgate any other rules and  
30 regulations as may be necessary to implement this Section.

31 (Source: P.A. 92-276, eff. 8-7-01.)

32 Section 99. Effective date. This Act takes effect July 1,  
33 2004."