

# SB3000



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

SB3000

Introduced 2/7/2014, by Sen. Daniel Biss

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 105/5.855 new

Creates the Natural Resource Restoration Trust Fund Act. Creates the Illinois Natural Resource Restoration Trust Fund in the State Treasury to receive deposits of moneys available from or intended for the investigation, assessment, restoration, or replacement of injured or damaged natural resources resulting from claims pursued under the laws of the United States, this State, or other statutory or common law. Authorizes the use of the Fund by the Department of Natural Resources for specified purposes. Amends the State Finance Act. Creates the Natural Resource Restoration Trust Fund. Effective immediately.

LRB098 17577 MGM 52687 b

A BILL FOR

1 AN ACT concerning State government.

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  
5 Natural Resource Restoration Trust Fund Act.

6 Section 5. Definitions. As used in this Act:

7 "Department" means the Department of Natural Resources.

8 "Director" means the Director of Natural Resources.

9 "Fund" means the Illinois Natural Resource Restoration  
10 Trust Fund created in Section 10 of this Act.

11 Section 10. The Natural Resource Restoration Trust Fund.

12 (a) There is hereby created in the State Treasury the  
13 Illinois Natural Resource Restoration Trust Fund to receive  
14 deposits of moneys available from or intended for the  
15 investigation, assessment, restoration, or replacement of  
16 injured or damaged natural resources resulting from claims  
17 pursued under the laws of the United States, this State, or  
18 other statutory or common law. The fund may receive deposits of  
19 moneys made available from any other source. All moneys in the  
20 fund are to be invested and reinvested by the State Treasurer.  
21 All interest accruing from these investments shall be deposited  
22 in the fund. Moneys received through settlement or litigation

1 of claims for injured natural resources and directed at the  
2 restoration, rehabilitation, replacement, or the acquisition  
3 of the equivalent of injured natural resources and the benefits  
4 they provide, shall be available for those uses until the funds  
5 are expended. Moneys deposited in the fund may be invested in  
6 securities constituting direct obligations of the United  
7 States Government, obligations the principal of and interest on  
8 which are guaranteed by the United States Government, or in  
9 certificates of deposit of any State or national bank that are  
10 fully secured by obligations guaranteed by the United States  
11 Government.

12 (b) All moneys deposited into the fund shall be used by the  
13 Department of Natural Resources to:

14 (1) Take necessary or appropriate action to  
15 investigate and assess the nature and extent of injuries or  
16 damage to Illinois natural resources and the benefits they  
17 provide.

18 (2) Take necessary or appropriate action to restore,  
19 rehabilitate, replace, or acquire the equivalent of  
20 injured or damaged natural resources and the benefits they  
21 provide.

22 (3) Meet any requirements which must be met by the  
23 State in order to obtain federal funds, or any other funds,  
24 to address injury or damage to natural resources.

25 (4) Pay for the cost of Department personnel,  
26 contractual, professional, or technical services to review

1 or perform natural resource injury or damage assessments,  
2 natural resource restoration or replacement actions,  
3 environmental or ecological risk assessments,  
4 environmental impact assessment actions, or other  
5 activities related to environmental contamination of real  
6 property.

7 (5) Administer the provisions of this Section.

8 (c) The General Assembly shall annually appropriate to the  
9 fund such amounts as it deems necessary to fulfill the purposes  
10 of this Section.

11 (d) The Department may accept, receive, and administer on  
12 behalf of the State any moneys made available to the State from  
13 any source for the purposes set forth in this Section. These  
14 moneys may be in addition to any other funds otherwise  
15 appropriated to the Department for similar purposes. Interest  
16 or income earned on moneys deposited into the fund shall be  
17 retained in the fund to be used by the Department pursuant to  
18 the provisions of this Section.

19 Section 900. The State Finance Act is amended by adding  
20 Section 5.855 as follows:

21 (30 ILCS 105/5.855 new)

22 Sec. 5.855. The Natural Resource Restoration Trust Fund.

23 Section 999. Effective date. This Act takes effect upon  
24 becoming law.