



Rep. Barbara Flynn Currie

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1 AMENDMENT TO HOUSE BILL 2377

2 AMENDMENT NO. _____. Amend House Bill 2377 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short Title. This Act may be cited as the
5 Supreme Court Historic Preservation Act.

6 Section 5. Definitions. For the purpose of this Act:

7 "Commission" means the Supreme Court Historic Preservation
8 Commission.

9 "Court" means the Illinois Supreme Court.

10 Section 10. Supreme Court Historic Preservation
11 Commission; creation; commissioners; appointments; terms;
12 compensation.

13 (a) The Supreme Court Historic Preservation Commission is
14 created within the Judicial Branch of State government.

15 (b) The Commission consists of 9 commissioners as follows:

1 (1) the Administrative Director of the Illinois Courts
2 shall serve as a commissioner ex officio;

3 (2) Two commissioners appointed by the Court, one of
4 whom shall be designated as the chairperson of the
5 Commission upon appointment;

6 (3) Two commissioners appointed by the Governor;

7 (4) Two commissioners appointed by the President of the
8 Senate, one of whom may not belong to the same political
9 party as the President; and

10 (5) Two commissioners appointed by the Speaker of the
11 House of Representatives, one of whom may not belong to the
12 same political party as the Speaker.

13 (c) The terms of the initial appointed commissioners shall
14 commence upon qualification. Each appointing authority shall
15 designate one appointee to serve for a 2-year term running
16 through June 30, 2009, and each appointing authority shall
17 designate one appointee to serve for a 4-year term running
18 through June 30, 2011. The commissioner designated as the
19 chairperson by the Court must be appointed for a 4-year term.
20 The initial appointments must be made within 60 days after the
21 effective date of this Act.

22 (d) After the initial terms, commissioners shall serve for
23 4-year terms commencing on July 1 of the year of appointment
24 and running through June 30 of the 4th following year.
25 Commissioners may be reappointed to one or more subsequent
26 terms.

1 (e) Vacancies occurring other than at the end of a term
2 shall be filled by the appointing authority only for the
3 balance of the term of the commissioner whose office is vacant.

4 (f) Terms shall run regardless of whether the position is
5 filled.

6 (g) The members of the Commission shall receive no
7 compensation for their service, except for their actual
8 expenses while in the discharge of their official duties.

9 Section 15. Commission policy, powers, and duties. The
10 Commission shall assist and advise the Court in regard to the
11 acquisition, collection, documentation, preservation,
12 cataloging, and related matters with respect to historic
13 aspects of buildings, objects, artifacts, documents, and
14 information, regardless of form, relating to the Illinois
15 judiciary.

16 Section 20. Supreme Court Historic Preservation Fund.

17 (a) The Supreme Court Historic Preservation Fund is created
18 as a special fund in the State treasury. Subject to
19 appropriation, the moneys in the Fund shall be used only by the
20 Commission as deemed appropriate for historic preservation and
21 related purposes, including the hiring of necessary staff.

22 (b) All moneys received by the Commission, including
23 without limitation, grants, gifts, donations, bequests, fees,
24 admissions, sales, and concessions, from any source, including

1 private, public, governmental, and individual, must be
2 deposited into the Fund. All interest that is attributable to
3 moneys in the Fund must be deposited into the Fund.

4 (c) On July 1, 2008, or as soon thereafter as may be
5 practical, the State Treasurer shall transfer the amount of
6 \$5,000,000 from the General Revenue Fund to the Supreme Court
7 Historic Preservation Fund.

8 Section 25. Annual report. The Commission shall provide a
9 report of its fiscal and programmatic activities to the Court,
10 the Governor, and the General Assembly, on or before January
11 31, 2008, and annually thereafter.

12 Section 90. The State Finance Act is amended by adding
13 Section 5.675 and by changing Section 8h as follows:

14 (30 ILCS 105/5.675 new)

15 Sec. 5.675. The Supreme Court Historic Preservation Fund.

16 (30 ILCS 105/8h)

17 Sec. 8h. Transfers to General Revenue Fund.

18 (a) Except as otherwise provided in this Section and
19 Section 8n of this Act, and ~~(c), (d), or (e),~~ notwithstanding
20 any other State law to the contrary, the Governor may, through
21 June 30, 2007, from time to time direct the State Treasurer and
22 Comptroller to transfer a specified sum from any fund held by

1 the State Treasurer to the General Revenue Fund in order to
2 help defray the State's operating costs for the fiscal year.
3 The total transfer under this Section from any fund in any
4 fiscal year shall not exceed the lesser of (i) 8% of the
5 revenues to be deposited into the fund during that fiscal year
6 or (ii) an amount that leaves a remaining fund balance of 25%
7 of the July 1 fund balance of that fiscal year. In fiscal year
8 2005 only, prior to calculating the July 1, 2004 final
9 balances, the Governor may calculate and direct the State
10 Treasurer with the Comptroller to transfer additional amounts
11 determined by applying the formula authorized in Public Act
12 93-839 to the funds balances on July 1, 2003. No transfer may
13 be made from a fund under this Section that would have the
14 effect of reducing the available balance in the fund to an
15 amount less than the amount remaining unexpended and unreserved
16 from the total appropriation from that fund estimated to be
17 expended for that fiscal year. This Section does not apply to
18 any funds that are restricted by federal law to a specific use,
19 to any funds in the Motor Fuel Tax Fund, the Intercity
20 Passenger Rail Fund, the Hospital Provider Fund, the Medicaid
21 Provider Relief Fund, the Teacher Health Insurance Security
22 Fund, the Reviewing Court Alternative Dispute Resolution Fund,
23 the Voters' Guide Fund, the Foreign Language Interpreter Fund,
24 the Lawyers' Assistance Program Fund, the Supreme Court Federal
25 Projects Fund, the Supreme Court Special State Projects Fund,
26 the Supplemental Low-Income Energy Assistance Fund, the Good

1 Samaritan Energy Trust Fund, the Low-Level Radioactive Waste
2 Facility Development and Operation Fund, the Horse Racing
3 Equity Trust Fund, or the Hospital Basic Services Preservation
4 Fund, or to any funds to which subsection (f) of Section 20-40
5 of the Nursing and Advanced Practice Nursing Act applies. No
6 transfers may be made under this Section from the Pet
7 Population Control Fund. Notwithstanding any other provision
8 of this Section, for fiscal year 2004, the total transfer under
9 this Section from the Road Fund or the State Construction
10 Account Fund shall not exceed the lesser of (i) 5% of the
11 revenues to be deposited into the fund during that fiscal year
12 or (ii) 25% of the beginning balance in the fund. For fiscal
13 year 2005 through fiscal year 2007, no amounts may be
14 transferred under this Section from the Road Fund, the State
15 Construction Account Fund, the Criminal Justice Information
16 Systems Trust Fund, the Wireless Service Emergency Fund, or the
17 Mandatory Arbitration Fund.

18 In determining the available balance in a fund, the
19 Governor may include receipts, transfers into the fund, and
20 other resources anticipated to be available in the fund in that
21 fiscal year.

22 The State Treasurer and Comptroller shall transfer the
23 amounts designated under this Section as soon as may be
24 practicable after receiving the direction to transfer from the
25 Governor.

26 (a-5) Transfers directed to be made under this Section on

1 or before February 28, 2006 that are still pending on May 19,
2 2006 (the effective date of Public Act 94-774) ~~this amendatory~~
3 ~~Act of the 94th General Assembly~~ shall be redirected as
4 provided in Section 8n of this Act.

5 (b) This Section does not apply to: (i) the Ticket For The
6 Cure Fund; (ii) any fund established under the Community Senior
7 Services and Resources Act; or (iii) on or after January 1,
8 2006 (the effective date of Public Act 94-511), the Child Labor
9 and Day and Temporary Labor Enforcement Fund.

10 (c) This Section does not apply to the Demutualization
11 Trust Fund established under the Uniform Disposition of
12 Unclaimed Property Act.

13 (d) This Section does not apply to moneys set aside in the
14 Illinois State Podiatric Disciplinary Fund for podiatric
15 scholarships and residency programs under the Podiatric
16 Scholarship and Residency Act.

17 (e) Subsection (a) does not apply to, and no transfer may
18 be made under this Section from, the Pension Stabilization
19 Fund.

20 (f) This Section does not apply to the Supreme Court
21 Historic Preservation Fund.

22 (Source: P.A. 93-32, eff. 6-20-03; 93-659, eff. 2-3-04; 93-674,
23 eff. 6-10-04; 93-714, eff. 7-12-04; 93-801, eff. 7-22-04;
24 93-839, eff. 7-30-04; 93-1054, eff. 11-18-04; 93-1067, eff.
25 1-15-05; 94-91, eff. 7-1-05; 94-120, eff. 7-6-05; 94-511, eff.
26 1-1-06; 94-535, eff. 8-10-05; 94-639, eff. 8-22-05; 94-645,

1 eff. 8-22-05; 94-648, eff. 1-1-06; 94-686, eff. 11-2-05;
2 94-691, eff. 11-2-05; 94-726, eff. 1-20-06; 94-773, eff.
3 5-18-06; 94-774, eff. 5-19-06; 94-804, eff. 5-26-06; 94-839,
4 eff. 6-6-06; revised 6-19-06.)

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.".