

1 AMENDMENT TO SENATE BILL 2003

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2003 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5-315. The Illinois Public Labor Relations Act  
5 is amended by changing Section 5 as follows:

6 (5 ILCS 315/5) (from Ch. 48, par. 1605)

7 Sec. 5. Illinois Labor Relations Board; State Panel;  
8 Local Panel.

9 (a) There is created the Illinois Labor Relations Board.  
10 The Board shall be comprised of 2 panels, to be known as the  
11 State Panel and the Local Panel.

12 (a-3) The Governor, with the advice and consent of the  
13 Senate, shall appoint the Chairman of the Illinois Labor  
14 Relations Board. The Chairman shall be a member of and shall  
15 preside over both of the panels of the Board.

16 To be eligible for appointment, a person must have had a  
17 minimum of 5 years of experience directly related to labor  
18 and employment relations in representing public employers,  
19 private employers, or labor organizations; or teaching labor  
20 or employment relations; or administering executive orders or  
21 regulations applicable to labor or employment relations. At  
22 the time of his or her appointment, the Chairman must be an

1 Illinois resident.

2 The initial appointment under this amendatory Act of the  
3 93rd General Assembly shall be for a term ending on the 4th  
4 Monday in January, 2007. Each subsequent Chairman shall be  
5 appointed for a term of 4 years, commencing on the 4th Monday  
6 in January. Upon expiration of his or her term of office,  
7 the Chairman shall continue to serve until a successor has  
8 been appointed and has qualified. In case of a vacancy, a  
9 successor shall be appointed to serve for the unexpired  
10 portion of the term. If the Senate is not in session at the  
11 time the initial appointment is made, the Governor shall make  
12 a temporary appointment to fill the vacancy.

13 (a-5) The State Panel shall have jurisdiction over  
14 collective bargaining matters between employee organizations  
15 and the State of Illinois, excluding the General Assembly of  
16 the State of Illinois, between employee organizations and  
17 units of local government and school districts with a  
18 population not in excess of 2 million persons, and between  
19 employee organizations and the Regional Transportation  
20 Authority.

21 Until July 1, 2003 or when all of the new members to be  
22 initially appointed under this amendatory Act of the 93rd  
23 General Assembly have been appointed by the Governor,  
24 whichever occurs later, the State Panel shall consist of 5  
25 members appointed by the Governor, with the advice and  
26 consent of the Senate.

27 The term of each appointed member of the State Panel who  
28 is in office on June 30, 2003 shall terminate at the close of  
29 business on that date or when all of the new members to be  
30 initially appointed under this amendatory Act of the 93rd  
31 General Assembly have been appointed by the Governor,  
32 whichever occurs later.

33 Beginning on July 1, 2003 or when all of the new members  
34 of the State Panel to be initially appointed under this

1 amendatory Act of the 93rd General Assembly have been  
 2 appointed by the Governor, whichever occurs later, the State  
 3 Panel shall consist of 3 members: the Chairman of the Board,  
 4 who shall also serve as Chairman of the State Panel; plus 2  
 5 additional members appointed by the Governor with the advice  
 6 and consent of the Senate.

7 The Governor shall appoint to the State Panel only  
 8 persons who have had a minimum of 5 years of experience  
 9 directly related to labor and employment relations in  
 10 representing public employers, private employers or labor  
 11 organizations; or teaching labor or employment relations; or  
 12 administering executive orders or regulations applicable to  
 13 labor or employment relations. At the time of his or her  
 14 appointment, each member of the State Panel shall be an  
 15 Illinois resident. ~~The Governor shall designate one member~~  
 16 ~~to serve as the Chairman of the State Panel and the Board.~~

17 The initial appointments under this amendatory Act of the  
 18 93rd ~~91st~~ General Assembly shall be for terms as follows:  
 19 ~~The Chairman~~ one member shall initially be appointed for a  
 20 term ending on the 4th Monday in January, 2006; ~~2001~~;  
 21 ~~members shall be initially appointed for terms ending on the~~  
 22 ~~4th Monday in January, 2002; one member shall be initially~~  
 23 ~~appointed for a term ending on the 4th Monday in January,~~  
 24 ~~2003;~~ and one member shall be initially appointed for a term  
 25 ending on the 4th Monday in January, 2004. Each subsequent  
 26 member shall be appointed for a term of 4 years, commencing  
 27 on the 4th Monday in January. Upon expiration of the term of  
 28 office of any appointive member, that member shall continue  
 29 to serve until a successor shall be appointed and qualified.  
 30 In case of a vacancy, a successor shall be appointed to serve  
 31 for the unexpired portion of the term. If the Senate is not  
 32 in session at the time the initial appointments are made, the  
 33 Governor shall make temporary appointments in the same manner  
 34 successors are appointed to fill vacancies. ~~A temporary~~

1 ~~appointment shall remain in effect no longer than 20 calendar~~  
2 ~~days after the commencement of the next Senate session.~~

3 (b) The Local Panel shall have jurisdiction over  
4 collective bargaining agreement matters between employee  
5 organizations and units of local government with a population  
6 in excess of 2 million persons, but excluding the Regional  
7 Transportation Authority.

8 Until July 1, 2003 or when the new Chairman of the Board  
9 to be initially appointed under this amendatory Act of the  
10 93rd General Assembly has been appointed by the Governor,  
11 whichever occurs later, the Local Panel shall consist of one  
12 person appointed by the Governor with the advice and consent  
13 of the Senate (or, if no such person is appointed, the  
14 Chairman of the State Panel) and two additional members, one  
15 appointed by the Mayor of the City of Chicago and one  
16 appointed by the President of the Cook County Board of  
17 Commissioners.

18 The term of the member of the Local Panel who was  
19 appointed by the Governor and is in office on June 30, 2003  
20 shall terminate at the close of business on that date or when  
21 the new Chairman of the Board to be initially appointed under  
22 this amendatory Act of the 93rd General Assembly has been  
23 appointed, whichever occurs later.

24 Beginning on July 1, 2003 or when the new Chairman of the  
25 Board to be initially appointed under this amendatory Act of  
26 the 93rd General Assembly has been appointed, whichever  
27 occurs later, the Local Panel shall consist of 3 members: the  
28 Chairman of the Board, who shall also serve as Chairman of  
29 the Local Panel; plus 2 additional members, one appointed by  
30 the Mayor of the City of Chicago and one appointed by the  
31 President of the Cook County Board of Commissioners.

32 Appointees to the Local Panel must have had a minimum of  
33 5 years of experience directly related to labor and  
34 employment relations in representing public employers,

1 private employers or labor organizations; or teaching labor  
 2 or employment relations; or administering executive orders or  
 3 regulations applicable to labor or employment relations.  
 4 Each member of the Local Panel shall be an Illinois resident  
 5 at the time of his or her appointment. ~~The member appointed~~  
 6 ~~by the Governor (or, if no such person is appointed, the~~  
 7 ~~Chairman of the State Panel) shall serve as the Chairman of~~  
 8 ~~the Local Panel.~~

9 The initial appointments under this amendatory Act of the  
 10 91st General Assembly shall be for terms as follows: The  
 11 member appointed by the Governor shall initially be appointed  
 12 for a term ending on the 4th Monday in January, 2001; the  
 13 member appointed by the President of the Cook County Board  
 14 shall be initially appointed for a term ending on the 4th  
 15 Monday in January, 2003; and the member appointed by the  
 16 Mayor of the City of Chicago shall be initially appointed for  
 17 a term ending on the 4th Monday in January, 2004. Each  
 18 subsequent member shall be appointed for a term of 4 years,  
 19 commencing on the 4th Monday in January. Upon expiration of  
 20 the term of office of any appointive member, the member shall  
 21 continue to serve until a successor shall be appointed and  
 22 qualified. In the case of a vacancy, a successor shall be  
 23 appointed by the applicable appointive authority to serve for  
 24 the unexpired portion of the term.

25 (c) Until the State Panel is reconstituted under this  
 26 amendatory Act of the 93rd General Assembly, three members of  
 27 the State Panel shall ~~at all times~~ constitute a quorum of  
 28 that panel; thereafter, 2 members of the State Panel  
 29 constitute a quorum of that panel. Two members of the Local  
 30 Panel shall at all times constitute a quorum of that Panel.  
 31 A vacancy on a panel does not impair the right of the  
 32 remaining members to exercise all of the powers of that  
 33 panel. Each panel shall adopt an official seal which shall  
 34 be judicially noticed.

1           The salary of the Chairman of the Board State-Panel shall  
2 be \$82,429 per year, or as set by the Compensation Review  
3 Board, whichever is greater, and that of the other members of  
4 the State and Local Panels shall be \$74,188 per year, or as  
5 set by the Compensation Review Board, whichever is greater.

6           (d) Each member shall devote his entire time to the  
7 duties of the office, and shall hold no other office or  
8 position of profit, nor engage in any other business,  
9 employment, or vocation. No member shall hold any other  
10 public office or be employed as a labor or management  
11 representative by the State or any political subdivision of  
12 the State or of any department or agency thereof, or actively  
13 represent or act on behalf of an employer or an employee  
14 organization or an employer in labor relations matters.

15           Any member appointed by the Governor of the--State--Panel  
16 may be removed from office by the Governor for inefficiency,  
17 neglect of duty, misconduct or malfeasance in office, and for  
18 no other cause, and only upon notice and hearing. Any member  
19 of the Local Panel may be removed from office by the  
20 applicable appointive authority for inefficiency, neglect of  
21 duty, misconduct or malfeasance in office, and for no other  
22 cause, and only upon notice and hearing.

23           (e) Each panel at the end of every State fiscal year  
24 shall make a report in writing to the Governor and the  
25 General Assembly, stating in detail the work it has done in  
26 hearing and deciding cases and otherwise.

27           (f) In order to accomplish the objectives and carry out  
28 the duties prescribed by this Act, a panel or its authorized  
29 designees may hold elections to determine whether a labor  
30 organization has majority status; investigate and attempt to  
31 resolve or settle charges of unfair labor practices; hold  
32 hearings in order to carry out its functions; develop and  
33 effectuate appropriate impasse resolution procedures for  
34 purposes of resolving labor disputes; require the appearance

1 of witnesses and the production of evidence on any matter  
2 under inquiry; and administer oaths and affirmations. The  
3 panels shall sign and report in full an opinion in every case  
4 which they decide.

5 (g) The Board shall appoint and employ an executive  
6 director. The salary and duties of the executive director  
7 shall be fixed by the Board.

8 Each panel may appoint or employ ~~an-executive-director,~~  
9 attorneys, hearing officers, mediators, fact-finders,  
10 arbitrators, and such other employees as it may deem  
11 necessary to perform its functions. The governing boards  
12 shall prescribe the duties and qualifications of such persons  
13 appointed and, subject to the annual appropriation, fix their  
14 compensation and provide for reimbursement of actual and  
15 necessary expenses incurred in the performance of their  
16 duties.

17 (h) Each panel shall exercise general supervision over  
18 all attorneys which it employs and over the other persons  
19 employed to provide necessary support services for such  
20 attorneys. The panels shall have final authority in respect  
21 to complaints brought pursuant to this Act.

22 (i) The following rules and regulations shall be adopted  
23 by the panels meeting in joint session: (1) procedural rules  
24 and regulations which shall govern all Board proceedings; (2)  
25 procedures for election of exclusive bargaining  
26 representatives pursuant to Section 9, except for the  
27 determination of appropriate bargaining units; (3)  
28 appointment of counsel pursuant to subsection (k) of this  
29 Section.

30 (j) Rules and regulations may be adopted, amended or  
31 rescinded only upon a majority vote of 5 of the members of  
32 the State and Local Panels meeting in joint session. The  
33 adoption, amendment, or rescission of rules and regulations  
34 shall be in conformity with the requirements of the Illinois

1 Administrative Procedure Act.

2 (k) The panels in joint session shall promulgate rules  
3 and regulations providing for the appointment of attorneys or  
4 other Board representatives to represent persons in unfair  
5 labor practice proceedings before a panel. The regulations  
6 governing appointment shall require the applicant to  
7 demonstrate an inability to pay for or inability to otherwise  
8 provide for adequate representation before a panel. Such  
9 rules must also provide: (1) that an attorney may not be  
10 appointed in cases which, in the opinion of a panel, are  
11 clearly without merit; (2) the stage of the unfair labor  
12 proceeding at which counsel will be appointed; and (3) the  
13 circumstances under which a client will be allowed to select  
14 counsel.

15 (l) The panels in joint session may promulgate rules and  
16 regulations which allow parties in proceedings before a panel  
17 to be represented by counsel or any other representative of  
18 the party's choice.

19 (m) The Chairman of the Board State-Panel shall serve as  
20 Chairman of a joint session of the panels.

21 Attendance of ~~at-least-2-members-of-the-State-panel-and~~  
22 at least one member of each ~~the-Local~~ panel, in addition to  
23 the Chairman, shall constitute a quorum at a joint session.  
24 The panels shall meet in joint session at least annually.

25 (Source: P.A. 91-798, eff. 7-9-00.)

26 Section 20-5. The Civil Administrative Code of Illinois  
27 is amended by changing Sections 5-155, 5-300, 5-340, 5-380,  
28 and 5-565 as follows:

29 (20 ILCS 5/5-155) (was 20 ILCS 5/5.04)

30 Sec. 5-155. In the Office of Mines and Minerals of the  
31 Department of Natural Resources. In the Office of Mines and  
32 Minerals of the Department of Natural Resources, there shall



1 be a State Mining Board, ~~which~~

2 Until July 1, 2003 or when all of the new members to be  
3 initially appointed under this amendatory Act of the 93rd  
4 General Assembly have been appointed by the Governor,  
5 whichever occurs later, the State Mining Board shall consist  
6 of 6 officers designated as mine officers and the Director of  
7 the Office of Mines and Minerals.

8 The term of each appointed member of the Board who is in  
9 office on June 30, 2003 shall terminate at the close of  
10 business on that date or when all of the new members to be  
11 initially appointed under this amendatory Act of the 93rd  
12 General Assembly have been appointed by the Governor,  
13 whichever occurs later.

14 Beginning on July 1, 2003 or when all of the new members  
15 to be initially appointed under this amendatory Act of the  
16 93rd General Assembly have been appointed by the Governor,  
17 whichever occurs later, the State Mining Board shall consist  
18 of 6 officers designated as mine officers; 2 members at  
19 large; and the Director of the Office of Mines and Minerals,  
20 who shall serve as chairman.

21 Three mine officers shall be representatives of the  
22 employing class and 3 of the employee class. The 6 mine  
23 officers shall be qualified as follows:

24 (1) Two mine officers from the employing class  
25 shall have at least 4 years experience in a supervisory  
26 capacity in an underground coal mine and each shall hold  
27 a certificate of competency as a mine examiner or mine  
28 manager.

29 (2) The third mine officer from the employing class  
30 shall have at least 4 years experience in a supervisory  
31 capacity in a surface coal mine.

32 (3) Two mine officers from the employee class shall  
33 have 4 years experience in an underground coal mine and  
34 shall hold a first class certificate of competency.

1           (4) The third mine officer from the employee class  
2 shall have at least 4 years experience in a surface coal  
3 mine.

4 (Source: P.A. 91-239, eff. 1-1-00.)

5 (20 ILCS 5/5-300) (was 20 ILCS 5/9)

6 Sec. 5-300. Officers' qualifications and salaries.

7       (a) The executive and administrative officers, whose  
8 offices are created by this Act, must have the qualifications  
9 prescribed by law and shall receive annual salaries, payable  
10 in equal monthly installments, as designated in the Sections  
11 following this Section and preceding Section 5-500. If set  
12 by the Governor, those annual salaries may not exceed 85% of  
13 the Governor's annual salary.

14       (b) Any executive or administrative officer whose office  
15 is created by this Act may voluntarily refuse (i) all or any  
16 payment of the salary or other compensation prescribed by law  
17 for that office, (ii) any increase in that salary or  
18 compensation that is authorized by law, or (iii) any  
19 reimbursement for expenses to which he or she is entitled by  
20 law.

21 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
22 eff. 6-28-01.)

23 (20 ILCS 5/5-340) (was 20 ILCS 5/9.30)

24 Sec. 5-340. In the Department of Employment Security.  
25 The Director of Employment Security shall receive an annual  
26 salary of as set by the Governor from time to time or an  
27 amount set by the Compensation Review Board, whichever is  
28 greater.

29 Each member of the Board of Review whose term began  
30 before the effective date of this amendatory Act of the 93rd  
31 General Assembly shall receive \$15,000.

32 A member of the Board of Review whose term begins on or

1 after the effective date of this amendatory Act of the 93rd  
2 General Assembly shall receive no compensation for service on  
3 the Board of Review, but may be reimbursed for expenses  
4 incurred in the course of that service. A member of the  
5 Board who experiences a significant financial hardship due to  
6 the loss of income on days of attendance at meetings or while  
7 otherwise engaged in the business of the Board may be paid a  
8 hardship allowance, as determined by and subject to the  
9 approval of the Governor's Travel Control Board.

10 (Source: P.A. 91-25, eff. 6-9-99; 91-239, eff. 1-1-00; 92-16,  
11 eff. 6-28-01.)

12 (20 ILCS 5/5-380) (was 20 ILCS 5/9.04)

13 Sec. 5-380. In the Office of Mines and Minerals of the  
14 Department of Natural Resources. Each mine officer whose  
15 term began before the effective date of this amendatory Act  
16 of the 93rd General Assembly shall receive \$7,500 or the  
17 amount set by the Compensation Review Board, whichever is  
18 greater.

19 A mine officer or member at large of the State Mining  
20 Board who is appointed to a term that begins on or after the  
21 effective date of this amendatory Act of the 93rd General  
22 Assembly shall receive \$10,962 or, beginning July 1, 2004,  
23 the amount set by the Compensation Review Board, whichever is  
24 greater.

25 (Source: P.A. 91-239, eff. 1-1-00.)

26 (20 ILCS 5/5-565) (was 20 ILCS 5/6.06)

27 Sec. 5-565. In the Department of Public Health.

28 (a) The General Assembly declares it to be the public  
29 policy of this State that all citizens of Illinois are  
30 entitled to lead healthy lives. Governmental public health  
31 has a specific responsibility to ensure that a system is in  
32 place to allow the public health mission to be achieved. To

1 develop a system requires certain core functions to be  
2 performed by government. The State Board of Health is to  
3 assume the leadership role in advising the Director in  
4 meeting the following functions:

- 5 (1) Needs assessment.
- 6 (2) Statewide health objectives.
- 7 (3) Policy development.
- 8 (4) Assurance of access to necessary services.

9 There shall be a State Board of Health composed of 17  
10 persons, all of whom shall be appointed by the Governor, with  
11 the advice and consent of the Senate for those appointed by  
12 the Governor on and after June 30, 1998, and one of whom  
13 shall be a senior citizen age 60 or over. Five members shall  
14 be physicians licensed to practice medicine in all its  
15 branches, one representing a medical school faculty, one who  
16 is board certified in preventive medicine, and 2 who are  
17 engaged in private practice. One member shall be a dentist;  
18 one an environmental health practitioner; one a local public  
19 health administrator; one a local board of health member; one  
20 a registered nurse; one a veterinarian; one a public health  
21 academician; one a health care industry representative; and 4  
22 shall be citizens at large.

23 In the appointment of the first Board of Health members  
24 appointed after September 19, 1991 (the effective date of  
25 Public Act 87-633), the Governor shall appoint 5 members to  
26 serve for terms of 5 years; 5 members to serve for terms of 2  
27 years; and 5 members to serve for a term of one year. Members  
28 appointed thereafter shall be appointed for terms of 3 years,  
29 except that when an appointment is made to fill a vacancy,  
30 the appointment shall be for the remaining term of the  
31 position vacated. The initial terms for the 2 additional  
32 members of the board who are citizens at large appointed  
33 under Public Act 90-607 shall be for 3 years each, with these  
34 positions thereafter being filled as with other members

1 appointed by the Governor. All members shall be legal  
2 residents of the State of Illinois. The duties of the Board  
3 shall include, but not be limited to, the following:

4 (1) To advise the Department of ways to encourage  
5 public understanding and support of the Department's  
6 programs.

7 (2) To evaluate all boards, councils, committees,  
8 authorities, and bodies advisory to, or an adjunct of,  
9 the Department of Public Health or its Director for the  
10 purpose of recommending to the Director one or more of  
11 the following:

12 (i) The elimination of bodies whose activities  
13 are not consistent with goals and objectives of the  
14 Department.

15 (ii) The consolidation of bodies whose  
16 activities encompass compatible programmatic  
17 subjects.

18 (iii) The restructuring of the relationship  
19 between the various bodies and their integration  
20 within the organizational structure of the  
21 Department.

22 (iv) The establishment of new bodies deemed  
23 essential to the functioning of the Department.

24 (3) To serve as an advisory group to the Director  
25 for public health emergencies and control of health  
26 hazards.

27 (4) To advise the Director regarding public health  
28 policy, and to make health policy recommendations  
29 regarding priorities to the Governor through the  
30 Director.

31 (5) To present public health issues to the Director  
32 and to make recommendations for the resolution of those  
33 issues.

34 (6) To recommend studies to delineate public health

1 problems.

2 (7) To make recommendations to the Governor through  
3 the Director regarding the coordination of State public  
4 health activities with other State and local public  
5 health agencies and organizations.

6 (8) To report on or before February 1 of each year  
7 on the health of the residents of Illinois to the  
8 Governor, the General Assembly, and the public.

9 (9) To review the final draft of all proposed  
10 administrative rules, other than emergency or preemptory  
11 rules and those rules that another advisory body must  
12 approve or review within a statutorily defined time  
13 period, of the Department after September 19, 1991 (the  
14 effective date of Public Act 87-633). The Board shall  
15 review the proposed rules within 90 days of submission by  
16 the Department. The Department shall take into  
17 consideration any comments and recommendations of the  
18 Board regarding the proposed rules prior to submission to  
19 the Secretary of State for initial publication. If the  
20 Department disagrees with the recommendations of the  
21 Board, it shall submit a written response outlining the  
22 reasons for not accepting the recommendations.

23 In the case of proposed administrative rules or  
24 amendments to administrative rules regarding immunization  
25 of children against preventable communicable diseases  
26 designated by the Director under the Communicable Disease  
27 Prevention Act, after the Immunization Advisory Committee  
28 has made its recommendations, the Board shall conduct 3  
29 public hearings, geographically distributed throughout  
30 the State. At the conclusion of the hearings, the State  
31 Board of Health shall issue a report, including its  
32 recommendations, to the Director. The Director shall  
33 take into consideration any comments or recommendations  
34 made by the Board based on these hearings.

1 (10) To make recommendations to the Governor  
2 through the Director concerning the development and  
3 periodic updating of Statewide health objectives  
4 encompassing, in part, the periodically published federal  
5 health objectives for the nation, which will provide the  
6 basis for the policy development and assurance roles of  
7 the State Health Department, and to make recommendations  
8 to the Governor through the Director regarding  
9 legislation and funding necessary to implement the  
10 objectives.

11 (11) Upon the request of the Governor, to recommend  
12 to the Governor candidates for Director of Public Health  
13 when vacancies occur in the position.

14 (12) To adopt bylaws for the conduct of its own  
15 business, including the authority to establish ad hoc  
16 committees to address specific public health programs  
17 requiring resolution.

18 Upon appointment, the Board shall elect a chairperson  
19 from among its members.

20 Members of the Board whose terms began before the  
21 effective date of this amendatory Act of the 93rd General  
22 Assembly shall receive compensation for their services at the  
23 rate of \$150 per day, not to exceed \$10,000 per year, as  
24 designated by the Director for each day required for  
25 transacting the business of the Board and shall be reimbursed  
26 for necessary expenses incurred in the performance of their  
27 duties.

28 Members of the Board appointed to terms that begin on or  
29 after the effective date of this amendatory Act of the 93rd  
30 General Assembly shall receive no compensation for their  
31 service, but may be reimbursed for expenses incurred in the  
32 course of that service. A member of the Board who  
33 experiences a significant financial hardship due to the loss  
34 of income on days of attendance at meetings or while

1 otherwise engaged in the business of the Board may be paid a  
2 hardship allowance, as determined by and subject to the  
3 approval of the Governor's Travel Control Board.

4 The Board shall meet from time to time at the call of the  
5 Department, at the call of the chairperson, or upon the  
6 request of 3 of its members, but shall not meet less than 4  
7 times per year.

8 (b) (Blank).

9 (c) An Advisory Board on Necropsy Service to Coroners,  
10 which shall counsel and advise with the Director on the  
11 administration of the Autopsy Act. The Advisory Board shall  
12 consist of 11 members, including a senior citizen age 60 or  
13 over, appointed by the Governor, one of whom shall be  
14 designated as chairman by a majority of the members of the  
15 Board. In the appointment of the first Board the Governor  
16 shall appoint 3 members to serve for terms of 1 year, 3 for  
17 terms of 2 years, and 3 for terms of 3 years. The members  
18 first appointed under Public Act 83-1538 shall serve for a  
19 term of 3 years. All members appointed thereafter shall be  
20 appointed for terms of 3 years, except that when an  
21 appointment is made to fill a vacancy, the appointment shall  
22 be for the remaining term of the position vacant. The members  
23 of the Board shall be citizens of the State of Illinois. In  
24 the appointment of members of the Advisory Board the Governor  
25 shall appoint 3 members who shall be persons licensed to  
26 practice medicine and surgery in the State of Illinois, at  
27 least 2 of whom shall have received post-graduate training in  
28 the field of pathology; 3 members who are duly elected  
29 coroners in this State; and 5 members who shall have interest  
30 and abilities in the field of forensic medicine but who shall  
31 be neither persons licensed to practice any branch of  
32 medicine in this State nor coroners. In the appointment of  
33 medical and coroner members of the Board, the Governor shall  
34 invite nominations from recognized medical and coroners



1 organizations in this State respectively. Board members,  
2 while serving on business of the Board, shall receive actual  
3 necessary travel and subsistence expenses while so serving  
4 away from their places of residence.

5 (Source: P.A. 90-607, eff. 6-30-98; 91-239, eff. 1-1-00;  
6 91-798, eff. 7-9-00.)

7 Section 20-415 The Personnel Code is amended by  
8 changing Sections 7a, 7b, 7c, 7d, 7e, and 10 as follows:

9 (20 ILCS 415/7a) (from Ch. 127, par. 63b107a)

10 Sec. 7a. Civil Service Commission, organization. There  
11 shall be a Civil Service Commission.

12 Until July 1, 2003 or when all of the new members to be  
13 initially appointed under this amendatory Act of the 93rd  
14 General Assembly have been appointed by the Governor,  
15 whichever occurs later, the Commission shall consist of 5  
16 members.

17 Beginning on July 1, 2003 or when all of the new members  
18 to be initially appointed under this amendatory Act of the  
19 93rd General Assembly have been appointed by the Governor,  
20 whichever occurs later, the Commission shall consist of 3  
21 members.

22 (Source: P.A. 91-798, eff. 7-9-00.)

23 (20 ILCS 415/7b) (from Ch. 127, par. 63b107b)

24 Sec. 7b. Qualifications. The members of the Commission  
25 shall be persons in sympathy with the application of merit  
26 principles to public employment. Beginning with the members  
27 appointed pursuant to this amendatory Act of the 93rd  
28 General Assembly, no more than 2 members ~~3-members~~ of the  
29 Commission may be adherents of the same political party.

30 (Source: P.A. 91-798, eff. 7-9-00.)

(20 ILCS 415/7c) (from Ch. 127, par. 63b107c)

Sec. 7c. Appointment.

(a) Members of the Civil Service Commission ~~in-office-at~~  
~~the-time-of-the-effective-date-of-this-Act-shall-continue--in~~  
~~office--until-the-expiration-of-the-terms-for-which-they-were~~  
~~appointed.---~~ Their successors shall be appointed by the  
Governor with the advice and consent of the Senate for terms  
ending 6 years from the date of expiration of the terms for  
which their predecessors were appointed, except that a person  
appointed to fill a vacancy occurring prior to the expiration  
of a 6 year term shall be similarly appointed for the  
remainder of the unexpired term. Each member of the  
Commission shall hold office until his successor is appointed  
and qualified. The Governor shall appoint one of the members  
to serve as chairman of the Commission at the pleasure of the  
Governor.

(b) Notwithstanding any provision of this Section to the  
contrary, the term of office of each member of the Commission  
who is in office on June 30, 2003 shall terminate at the  
close of business on that date or when all of the new members  
to be initially appointed under this amendatory Act of the  
93rd General Assembly have been appointed by the Governor,  
whichever occurs later. ~~is-abolished-on-the-effective-date~~  
~~of-this-amendatory-Act-of--1985,--but--the--incumbents--shall~~  
~~continue--to-exercise-all-of-the-powers-and-be-subject-to-all~~  
~~of-the-duties--of--members--of--the--Commission--until--their~~  
~~respective-successors-are-appointed-and-qualified.~~

The successors to the members whose terms of office are  
herein abolished shall be appointed by the Governor with the  
advice and consent of the Senate to terms of office as  
follows: one member shall be appointed to a term of office to  
expire on March 1, 2005 1987; one member shall be appointed  
to a term of office to expire on March 1, 2007 1989; and one  
member shall be appointed to a term of office to expire on

1 March 1, 2009 1991. The--2--additional-members-appointed  
 2 pursuant-to-this-amendatory-Act-of-the-91st-General--Assembly  
 3 shall--each--be--appointed--to--a-term-of-office-to-expire-on  
 4 March-1,-2005.--Each-member--of--the--Commission--shall--hold  
 5 office--until--his--successor--is--appointed--and--qualified.  
 6 Following--the-terms-of-office-established-in-this-paragraph,  
 7 successors--shall--be--appointed--in--accordance---with---the  
 8 provisions-of-the-first-paragraph-of-this-Section.

9 (Source: P.A. 91-798, eff. 7-9-00.)

10 (20 ILCS 415/7d) (from Ch. 127, par. 63b107d)

11 Sec. 7d. Compensation. The-chairman-shall-be-paid-an  
 12 annual-salary-of-\$8,200-from-the--third--Monday--in--January,  
 13 1979--to--the--third-Monday-in-January,-1980;- \$8,700-from-the  
 14 third-Monday-in-January,-1980-to-the-third-Monday-in-January,  
 15 1981;- \$9,300-from-the-third-Monday-in-January,-1981--to--the  
 16 third--Monday--in-January-1982;- \$10,000-from-the-third-Monday  
 17 in-January,-1982-to-the-effective-date-of-this-amendatory-Act  
 18 of-the-91st-General-Assembly;-and-\$25,000-thereafter,-or--as  
 19 set--by--the-Compensation-Review-Board,-whichever-is-greater.  
 20 Other-members-of-the-Commission-shall-each-be-paid-an--annual  
 21 salary--of--\$5,500--from-the-third-Monday-in-January,-1979-to  
 22 the-third-Monday-in-January,-1980;- \$6,000--from--the--third  
 23 Monday-in-January,-1980-to-the-third-Monday-in-January,-1981;  
 24 \$6,500--from--the--third-Monday-in-January,-1981-to-the-third  
 25 Monday-in-January,-1982;- \$7,500--from--the--third--Monday--in  
 26 January,-1982-to-the-effective-date-of-this-amendatory-Act-of  
 27 the--91st-General-Assembly;-and-\$20,000-thereafter,-or-as-set  
 28 by-the-Compensation-Review-Board,-whichever-is-greater.

29 Members of the Commission shall receive an annual salary  
 30 of \$20,660 for their service, and they shall be entitled to  
 31 reimbursement for necessary traveling and other official  
 32 expenditures necessitated by their official duties.  
 33 Beginning July 1, 2004, these salaries may be adjusted by the

1 Compensation Review Board.

2 (Source: P.A. 91-798, eff. 7-9-00.)

3 (20 ILCS 415/7e) (from Ch. 127, par. 63b107e)

4 Sec. 7e. Chairman, meetings. The Commission shall meet  
5 at such time and place as shall be specified by call of the  
6 chairman or the Director. At least one meeting shall be held  
7 each month. Notice of each meeting shall be given in writing  
8 to each member by the chairman at least three days in advance  
9 of the meeting.

10 Two Three members shall constitute a quorum for the  
11 transaction of business.

12 (Source: P.A. 91-798, eff. 7-9-00.)

13 (20 ILCS 415/10) (from Ch. 127, par. 63b110)

14 Sec. 10. Duties and powers of the Commission. The Civil  
15 Service Commission shall have duties and powers as follows:

16 (1) Upon written recommendations by the Director of the  
17 Department of Central Management Services to exempt from  
18 jurisdiction B of this Act positions which, in the judgment  
19 of the Commission, involve either principal administrative  
20 responsibility for the determination of policy or principal  
21 administrative responsibility for the way in which policies  
22 are carried out. This authority may not be exercised,  
23 however, with respect to the position of Assistant Director  
24 of Public Aid in the Department of Public Aid.

25 (2) To require such special reports from the Director as  
26 it may consider desirable.

27 (3) To disapprove original rules or any part thereof  
28 within 90 days and any amendment thereof within 30 days after  
29 the submission of such rules to the Civil Service Commission  
30 by the Director, and to disapprove any amendments thereto in  
31 the same manner.

32 (4) To approve or disapprove within 60 days from date of

1 submission the position classification plan submitted by the  
2 Director as provided in the rules, and any revisions thereof  
3 within 30 days from the date of submission.

4 (5) To hear appeals of employees who do not accept the  
5 allocation of their positions under the position  
6 classification plan.

7 (6) To hear and determine written charges filed seeking  
8 the discharge, demotion of employees and suspension totaling  
9 more than thirty days in any 12-month period, as provided in  
10 Section 11 hereof, and appeals from transfers from one  
11 geographical area in the State to another, and in connection  
12 therewith to administer oaths, subpoena witnesses, and compel  
13 the production of books and papers.

14 (7) The fees of subpoenaed witnesses under this Act for  
15 attendance and travel shall be the same as fees of witnesses  
16 before the circuit courts of the State, such fees to be paid  
17 when the witness is excused from further attendance.  
18 Whenever a subpoena is issued the Commission may require that  
19 the cost of service and the fee of the witness shall be borne  
20 by the party at whose insistence the witness is summoned.  
21 The Commission has the power, at its discretion, to require a  
22 deposit from such party to cover the cost of service and  
23 witness fees and the payment of the legal witness fee and  
24 mileage to the witness served with the subpoena. A subpoena  
25 issued under this Act shall be served in the same manner as a  
26 subpoena issued out of a court.

27 Upon the failure or refusal to obey a subpoena, a  
28 petition shall be prepared by the party serving the subpoena  
29 for enforcement in the circuit court of the county in which  
30 the person to whom the subpoena was directed either resides  
31 or has his or her principal place of business.

32 Not less than five days before the petition is filed in  
33 the appropriate court, it shall be served on the person along  
34 with a notice of the time and place the petition is to be

1 presented.

2 Following a hearing on the petition, the circuit court  
3 shall have jurisdiction to enforce subpoenas issued pursuant  
4 to this Section.

5 On motion and for good cause shown the Commission may  
6 quash or modify any subpoena.

7 (8) To make an annual report regarding the work of the  
8 Commission to the Governor, such report to be a public  
9 report.

10 (9) If any violation of this Act is found, the  
11 Commission shall direct compliance in writing.

12 (10) To ~~have~~ appoint a full-time executive secretary,  
13 who shall be appointed by the Governor, and to employ such  
14 other employees, experts, and special assistants as may be  
15 necessary to carry out the powers and duties of the  
16 Commission under this Act. ~~The~~ and employees, experts, and  
17 special assistants so appointed by the Commission shall be  
18 subject to the provisions of jurisdictions A, B and C of this  
19 Act. These powers and duties supersede any contrary  
20 provisions herein contained.

21 (11) To make rules to carry out and implement their  
22 powers and duties under this Act, with authority to amend  
23 such rules from time to time.

24 (12) To hear or conduct investigations as it deems  
25 necessary of appeals of layoff filed by employees appointed  
26 under Jurisdiction B after examination provided that such  
27 appeals are filed within 15 calendar days following the  
28 effective date of such layoff and are made on the basis that  
29 the provisions of the Personnel Code or of the Rules of the  
30 Department of Central Management Services relating to layoff  
31 have been violated or have not been complied with.

32 All hearings shall be public. A decision shall be  
33 rendered within 60 days after receipt of the transcript of  
34 the proceedings. The Commission shall order the

1 reinstatement of the employee if it is proven that the  
2 provisions of the Personnel Code or of the Rules of the  
3 Department of Central Management Services relating to layoff  
4 have been violated or have not been complied with. In  
5 connection therewith the Commission may administer oaths,  
6 subpoena witnesses, and compel the production of books and  
7 papers.

8 (13) Whenever the Civil Service Commission is authorized  
9 or required by law to consider some aspect of criminal  
10 history record information for the purpose of carrying out  
11 its statutory powers and responsibilities, then, upon request  
12 and payment of fees in conformance with the requirements of  
13 Section 2605-400 of the Department of State Police Law (20  
14 ILCS 2605/2605-400), the Department of State Police is  
15 authorized to furnish, pursuant to positive identification,  
16 such information contained in State files as is necessary to  
17 fulfill the request.

18 (Source: P.A. 91-239, eff. 1-1-00.)

19 Section 20-1605. The Illinois Lottery Law is amended by  
20 changing Section 6 as follows:

21 (20 ILCS 1605/6) (from Ch. 120, par. 1156)

22 Sec. 6. There is hereby created an independent board to  
23 be known as the Lottery Control Board, consisting of 5  
24 members, all of whom shall be citizens of the United States  
25 and residents of this State and shall be appointed by the  
26 Governor with the advice and consent of the Senate. No more  
27 than 3 of the 5 members shall be members of the same  
28 political party. A chairman of the Board shall be chosen  
29 annually from the membership of the Board by a majority of  
30 the members of the Board at the first meeting of the Board  
31 each fiscal year.

32 Initial members shall be appointed to the Board by the

1 Governor as follows: one member to serve until July 1, 1974,  
2 and until his successor is appointed and qualified; 2 members  
3 to serve until July 1, 1975, and until their successors are  
4 appointed and qualified; 2 members to serve until July 1,  
5 1976, and until their successors are appointed and qualified.  
6 As terms of members so appointed expire, their successors  
7 shall be appointed for terms to expire the first day in July  
8 3 years thereafter, and until their successors are appointed  
9 and qualified.

10 Any vacancy in the Board occurring for any reason other  
11 than expiration of term, shall be filled for the unexpired  
12 term in the same manner as the original appointment.

13 Any member of the Board may be removed by the Governor  
14 for neglect of duty, misfeasance, malfeasance, or nonfeasance  
15 in office.

16 Board members shall--receive--as--compensation--for--their  
17 services--\$100--for--each--day--they--are--in--attendance--at--any  
18 official--board--meeting,--but--in--no--event--shall--members--receive  
19 more--than--\$1,200--per--year.---They shall receive no other  
20 compensation for their services, but shall be reimbursed for  
21 necessary traveling and other reasonable expenses incurred in  
22 the performance of their official duties. A member of the  
23 Board who experiences a significant financial hardship due to  
24 the loss of income on days of attendance at meetings or while  
25 otherwise engaged in the business of the Board may be paid a  
26 hardship allowance, as determined by and subject to the  
27 approval of the Governor's Travel Control Board.

28 Each member shall make a full financial disclosure upon  
29 appointment.

30 The Board shall hold at least one meeting each quarter of  
31 the fiscal year. In addition, special meetings may be called  
32 by the Chairman, any 2 Board members, or the Director of the  
33 Department, upon delivery of 72 hours' written notice to the  
34 office of each member. All Board meetings shall be open to



1 the public pursuant to the Open Meetings Act.

2 Three members of the Board shall constitute a quorum, and  
3 3 votes shall be required for any final determination by the  
4 Board. The Board shall keep a complete and accurate record of  
5 all its meetings.

6 (Source: P.A. 84-1128.)

7 Section 20-1805. The Military Code of Illinois is  
8 amended by changing Sections 14 and 15 as follows:

9 (20 ILCS 1805/14) (from Ch. 129, par. 220.14)

10 Sec. 14. The Commander-in-Chief, with the advice and  
11 consent of the Senate, shall appoint from the active officers  
12 of the Illinois National Guard, the Adjutant General, who  
13 shall be Chief of Staff, with the grade of Major General.  
14 The appointment of the Adjutant General shall be for a term  
15 expiring on the 3rd Monday in January, 1971, and in each  
16 odd-numbered year thereafter.

17 (Source: P.A. 76-931.)

18 (20 ILCS 1805/15) (from Ch. 129, par. 220.15)

19 Sec. 15. The Commander-in-Chief, with the advice and  
20 consent of the Senate, shall appoint from the active officers  
21 of the Illinois National Guard, an Assistant Adjutant General  
22 for Army and an Assistant Adjutant General for Air, each with  
23 the grade of Brigadier General. Each of the Assistant  
24 Adjutants General shall be appointed for a term coinciding  
25 with the term provided for the Adjutant General in Section  
26 14.

27 (Source: P.A. 80-176.)

28 Section 20-2610. The State Police Act is amended by  
29 changing Sections 3, 5, and 6 as follows:

1 (20 ILCS 2610/3) (from Ch. 121, par. 307.3)

2 Sec. 3. Merit Board. The Governor shall appoint, by and  
3 with the advice and consent of the Senate, a Department of  
4 State Police Merit Board, hereinafter called the Board,  
5 consisting of 5 members to hold office, one until the third  
6 Monday in March, 1951, one until the third Monday in March,  
7 1953, and one until the third Monday in March, 1955, and  
8 until their respective successors are appointed and  
9 qualified. One of the members added by this amendatory Act  
10 of 1977 shall serve a term expiring on the third Monday in  
11 March, 1980, and until his successor is appointed and  
12 qualified, and one shall serve a term expiring on the third  
13 Monday in March, 1982, and until his successor is appointed  
14 and qualified. The Governor shall designate one of the  
15 members to serve as Chairman.

16 Notwithstanding any other provision of this Section, the  
17 term of each member of the Board who was appointed by the  
18 Governor and is in office on June 30, 2003 shall terminate at  
19 the close of business on that date or when all of the  
20 successor members to be appointed pursuant to this amendatory  
21 Act of the 93rd General Assembly have been appointed by the  
22 Governor, whichever occurs later. As soon as possible, the  
23 Governor shall appoint persons to fill the vacancies created  
24 by this amendatory Act.

25 Upon the expiration of the terms of office of those first  
26 appointed, their respective successors shall be appointed to  
27 hold office from the third Monday in March of the year of  
28 their respective appointments for a term of six years and  
29 until their successors are appointed and qualified for a like  
30 term. No more than 3 members of the Board shall be  
31 affiliated with the same political party. If the Senate is  
32 not in session at the time initial appointments are made  
33 pursuant to this Section, the Governor shall make temporary  
34 appointments as in the case of a vacancy.

1 (Source: P.A. 87-284.)

2 (20 ILCS 2610/5) (from Ch. 121, par. 307.5)

3 Sec. 5. Expenses. Each member of the Board shall  
4 receive the sum of \$125 per day for each day during which he  
5 is engaged in transacting the business of the Board, or an  
6 amount set by the Compensation Review Board, whichever is  
7 greater, and, in addition thereto, his actual traveling and  
8 other expenses necessarily incurred in discharging the duties  
9 of his office; provided, no member of the Board shall receive  
10 compensation for more than 100 days of work in any one fiscal  
11 year.

12 (Source: P.A. 83-1177.)

13 (20 ILCS 2610/6) (from Ch. 121, par. 307.6)

14 Sec. 6. Executive director; staff. The Board shall have  
15 an Executive Director, who shall be appointed by the  
16 Governor. The salary and duties of the Executive Director  
17 shall be fixed by the Board.

18 The Board is authorized to employ such other clerical and  
19 technical staff assistants, not to exceed fifteen, as may be  
20 necessary to enable the Board to transact its business and,  
21 if the rate of compensation is not otherwise fixed by law, to  
22 fix their compensation.

23 (Source: Laws 1949, p. 1357.)

24 Section 20-3105. The Capital Development Board Act is  
25 amended by changing Sections 5, 6, 7, and 8 as follows:

26 (20 ILCS 3105/5) (from Ch. 127, par. 775)

27 Sec. 5. Board membership.

28 (a) Until July 1, 2003 or when all of the new members to  
29 be initially appointed under this amendatory Act of the 93rd  
30 General Assembly have been appointed by the Governor,

1 whichever occurs later, the Board shall consist of 7 members,  
 2 no more than 4 of whom may be of the same political party,  
 3 all of whom shall be appointed by the Governor, by and with  
 4 the consent of the Senate, and one of whom shall be  
 5 designated as chairman by the Governor.

6 The term of each appointed member of the Board who is in  
 7 office on June 30, 2003 shall terminate at the close of  
 8 business on that date or when all of the new members to be  
 9 initially appointed under this amendatory Act of the 93rd  
 10 General Assembly have been appointed by the Governor,  
 11 whichever occurs later.

12 (b) Beginning on July 1, 2003 or when all of the new  
 13 members to be initially appointed under this amendatory Act  
 14 of the 93rd General Assembly have been appointed by the  
 15 Governor, whichever occurs later, the Board shall consist of  
 16 5 members, no more than 3 of whom may be of the same  
 17 political party, all of whom shall be appointed by the  
 18 Governor, by and with the consent of the Senate, and one of  
 19 whom shall be designated as chairman by the Governor.

20 (c) No person may be appointed as a member of the Board  
 21 who is serving as an elected officer for the State or for any  
 22 unit of local government within the State.

23 (d) If the Senate is not in session when the first  
 24 appointments are made, the Governor shall make temporary  
 25 appointments as in the case of a vacancy. In making the  
 26 first appointments pursuant to this amendatory Act of the  
 27 93rd General Assembly, the Governor shall designate 2 members  
 28 to serve until January, 2007, one member ~~1974~~-2-members to  
 29 serve until January, 2006, one member ~~1975~~--2--members to  
 30 serve until January, 2005, ~~1976~~ and one ~~1~~ member to serve  
 31 until January, 2004 ~~1977~~, or until their successors are  
 32 appointed and qualified. Their successors shall be appointed  
 33 to serve for 4 year terms expiring on the third Monday in  
 34 January or until their successors are appointed and

1 qualified.

2 Any vacancy occurring on the Board, whether by death,  
3 resignation or otherwise, shall be filled by appointment by  
4 the Governor in the same manner as original appointments. A  
5 member appointed to fill a vacancy shall serve for the  
6 remainder of the unexpired term or until his successor is  
7 qualified.

8 (Source: P.A. 87-776.)

9 (20 ILCS 3105/6) (from Ch. 127, par. 776)

10 Sec. 6. Expenses; oath; bond.

11 (a) Members of the Board shall serve without  
12 compensation but shall be reimbursed for their reasonable  
13 expenses necessarily incurred in the performance of their  
14 duties and the exercise of their powers under this Act. A  
15 member of the Board who experiences a significant financial  
16 hardship due to the loss of income on days of attendance at  
17 meetings or while otherwise engaged in the business of the  
18 Board may be paid a hardship allowance, as determined by and  
19 subject to the approval of the Governor's Travel Control  
20 Board.

21 (b) Each member shall before entering upon the duties of  
22 his office, take and subscribe the constitutional oath of  
23 office and give bond in the penal sum of \$100,000 conditioned  
24 upon the faithful performance of his duties. The oath and  
25 bond shall be filed in the office of the Secretary of State.

26 (Source: P.A. 77-1995.)

27 (20 ILCS 3105/7) (from Ch. 127, par. 777)

28 Sec. 7. Meetings; quorum.

29 (a) The Board shall meet at such times and places as is  
30 provided for by the Board or, in the absence of such a  
31 provision, on call of the chairman after at least 5 day's  
32 written notice to the members and the request of 2 or more

1 members.

2 (b) If there is no vacancy on the Board, 4 members of  
 3 the Board shall constitute a quorum to transact business;  
 4 otherwise, a majority of the Board shall constitute a quorum  
 5 to transact business, and no vacancy shall impair the right  
 6 of the remaining members to exercise all of the powers of the  
 7 Board. Every action approved by a majority of the members of  
 8 the Board shall be deemed to be the action of the Board. Four  
 9 ~~members--shall--constitute--a--quorum.~~ No vacancy in the  
 10 membership shall impair the right of a quorum of the members  
 11 to exercise all of the rights and powers, and to perform all  
 12 of the duties, of the Board.

13 (Source: P.A. 77-1995.)

14 (20 ILCS 3105/8) (from Ch. 127, par. 778)

15 Sec. 8. Executive Director; employees.

16 (a) The Board shall have an Executive Director, who  
 17 shall be appointed by the Governor. The salary and duties of  
 18 the Executive Director shall be fixed by the Board. The  
 19 Executive Director shall serve as the chief executive officer  
 20 of the Board.

21 (b) The Board may employ and fix the compensation of an  
 22 ~~executive--director,--to--serve--as--the--chief--executive--officer~~  
 23 ~~of--the--Board,--and~~ such other agents or employees as it  
 24 considers necessary or desirable. Such employment other than  
 25 of technical or engineering personnel shall be subject to the  
 26 Personnel Code. If any employees are transferred to the  
 27 Board from any other State agency, such a transfer shall not  
 28 affect the status of such employees under the Personnel Code,  
 29 under any retirement system under the Illinois Pension Code,  
 30 or under any civil service, merit service or other law  
 31 relating to State employment.

32 (Source: P.A. 77-1995.)

1 Section 20-3405. The Historic Preservation Agency Act is  
2 amended by changing Sections 3 and 4 as follows:

3 (20 ILCS 3405/3) (from Ch. 127, par. 2703)

4 Sec. 3. Agency; expenses; quorum; director.

5 (a) There is hereby created within the Executive Branch  
6 of State government the Historic Preservation Agency.

7 (b) The Agency shall be under the direction of a Board  
8 of Trustees.

9 Until July 1, 2003 or when all of the new members to be  
10 initially appointed under this amendatory Act of the 93rd  
11 General Assembly have been appointed by the Governor,  
12 whichever occurs later, the Board<sup>7</sup>-which shall be composed of  
13 7 members appointed by the Governor, by and with the consent  
14 of the Senate. No more than 4 members of the Board shall be  
15 of the same political party.

16 The term of each appointed member of the Board who is in  
17 office on June 30, 2003 shall terminate at the close of  
18 business on that date or when all of the new members to be  
19 initially appointed under this amendatory Act of the 93rd  
20 General Assembly have been appointed by the Governor,  
21 whichever occurs later.

22 Beginning on July 1, 2003 or when all of the new members  
23 to be initially appointed under this amendatory Act of the  
24 93rd General Assembly have been appointed by the Governor,  
25 whichever occurs later, the Board shall be composed of 7  
26 members appointed by the Governor, by and with the consent of  
27 the Senate. No more than 4 members of the Board shall be of  
28 the same political party.

29 The Governor shall designate one member of the Board to  
30 serve as Chairman.

31 In making the initial appointments to the Board pursuant  
32 to ~~after-the-effective-date-of~~ this amendatory Act of the  
33 93rd General Assembly, the Governor shall designate three

1 members, all of whom shall have been members of the Board of  
 2 Trustees of the Illinois State Historical Library on March  
 3 28, 1985, to serve until the third Monday in January, 2005  
 4 and 1986, or until their successors are appointed and  
 5 qualified and 4 two members to serve until the third first  
 6 Monday in January, 2004 and 1987, or until their successors  
 7 are appointed and qualified. In making the initial  
 8 appointments of the additional members of the Board required  
 9 by this amendatory Act of 1990, the Governor shall designate  
 10 1 member to serve until the third Monday in January, 1991 and  
 11 1 member to serve until the third Monday in January, 1992.  
 12 Thereafter, their successors shall be appointed to serve for  
 13 two year terms expiring on the third Monday in January and  
 14 until their successors are appointed and qualified.

15 (c) The members of the Board shall receive no  
 16 compensation for their services, except for their actual  
 17 expenses while in the discharge of their official duties. A  
 18 member of the Board who experiences a significant financial  
 19 hardship due to the loss of income on days of attendance at  
 20 meetings or while otherwise engaged in the business of the  
 21 Board may be paid a hardship allowance, as determined by and  
 22 subject to the approval of the Governor's Travel Control  
 23 Board.

24 (d) If there is no vacancy on the Board, 4 members of  
 25 the Board shall constitute a quorum to transact business;  
 26 otherwise, a majority of the Board shall constitute a quorum  
 27 to transact business, and no vacancy shall impair the right  
 28 of the remaining members to exercise all of the powers of the  
 29 Board. Every action approved by a majority of the members of  
 30 the Board shall be deemed to be the action of the Board. Four  
 31 members of the Board shall constitute a quorum to do business  
 32 and the concurrence of at least 4 members shall be necessary  
 33 for a decision.

34 (e) The Board shall employ and fix the compensation of



1 ~~the--Director--and~~ such other agents or employees as it  
2 considers necessary to carry out the purposes of this Act.  
3 (Source: P.A. 86-1336.)

4 (20 ILCS 3405/4) (from Ch. 127, par. 2704)

5 Sec. 4. Policy; divisions; director; librarian. The  
6 Board shall be responsible for setting and determining policy  
7 for the Agency.

8 The Agency shall consist of: (1) an Abraham Lincoln  
9 Presidential Library and Museum and (2) a Historic Sites and  
10 Preservation Division. Except as otherwise provided in this  
11 Act, any reference in any other Act to the Historic  
12 Preservation Agency shall be deemed to be a reference to the  
13 Historic Sites and Preservation Division and any reference to  
14 the Director of Historic Preservation shall be deemed to be a  
15 reference to the Director of Historic Sites and Preservation,  
16 unless the context clearly indicates otherwise.

17 The Governor Board shall appoint a chief executive  
18 officer of the Agency, who shall be known as the Director of  
19 Historic Sites and Preservation. The Director shall serve at  
20 the pleasure of the Governor Board. The Director shall,  
21 subject to applicable provisions of law, execute the powers  
22 and discharge the duties vested in the Historic Sites and  
23 Preservation Division of the Agency by law and implement the  
24 policies set by the Board. The Director shall manage the  
25 Historic Sites and Preservation Division of the Agency.

26 The Director, with the concurrence of the Board, shall  
27 appoint Division Chiefs and the Deputy Director of the  
28 Historic Sites and Preservation Division of the Agency.  
29 Subject to concurrence by the Board, the Director shall  
30 appoint such other employees of the Historic Sites and  
31 Preservation Division of the Agency as he or she deems  
32 appropriate and shall fix the compensation of such Division  
33 Chiefs, the Deputy Director and other employees.

1           The Board shall appoint the Illinois State Historian, who  
2 shall provide historical expertise, support, and service to  
3 all divisions of the Historic Preservation Agency. The State  
4 Historian is the State's authority on Abraham Lincoln and the  
5 history of Illinois.

6           (Source: P.A. 92-600, eff. 7-1-02.)

7           Section 20-3505. The Illinois Development Finance  
8 Authority Act is amended by changing Section 4 as follows:

9           (20 ILCS 3505/4) (from Ch. 48, par. 850.04)

10          Sec. 4. There is hereby created a political subdivision,  
11 body politic and corporate by the name and style of Illinois  
12 Development Finance Authority. The exercise by the Authority  
13 of the powers conferred by law shall be an essential public  
14 function.

15          Until July 1, 2003 or when all of the new members to be  
16 initially appointed under this amendatory Act of the 93rd  
17 General Assembly have been appointed by the Governor,  
18 whichever occurs later, the governing powers of the Authority  
19 shall be vested in a body consisting of 17 members including,  
20 as ex officio members, the Director of Labor and the Director  
21 of the Department of Commerce and Community Affairs or their  
22 designees. The other 15 members of the Authority shall be  
23 appointed by the Governor with the advice and consent of the  
24 Senate and shall be designated "public members".

25          The term of each appointed member of the Authority who is  
26 in office on June 30, 2003 shall terminate at the close of  
27 business on that date or when all of the new members to be  
28 initially appointed under this amendatory Act of the 93rd  
29 General Assembly have been appointed by the Governor,  
30 whichever occurs later.

31          Beginning on July 1, 2003 or when all of the new members  
32 to be initially appointed under this amendatory Act of the

1 93rd General Assembly have been appointed by the Governor,  
 2 whichever occurs later, the governing powers of the Authority  
 3 shall be vested in a body consisting of 11 members including,  
 4 as ex officio members, the Director of Labor and the Director  
 5 of Commerce and Community Affairs or their designees. The  
 6 other 9 members of the Authority shall be appointed by the  
 7 Governor with the advice and consent of the Senate and shall  
 8 be designated "public members".

9 Six Nine members shall constitute a quorum. However,  
 10 when a quorum of members of the Authority is physically  
 11 present at the meeting site, other Authority members may  
 12 participate in and act at any meeting through the use of a  
 13 conference telephone or other communications equipment by  
 14 means of which all persons participating in the meeting can  
 15 hear each other. Participation in such meeting shall  
 16 constitute attendance and presence in person at the meeting  
 17 of the person or persons so participating.

18 Not more than 5 public members 9-members of the Authority  
 19 may be of the same political party.

20 The Governor shall appoint one of the members of the  
 21 Authority to serve as chairman. The--Chairman--of--the  
 22 Authority--shall--be--elected--by--the--Authority--from--among--its  
 23 public-members, all-of-whom

24 The public members of the Authority shall be persons of  
 25 recognized ability and experience in one or more of the  
 26 following areas: economic development, finance, banking,  
 27 industrial development, small business management, real  
 28 estate development, community development, venture finance,  
 29 construction, and labor relations. At least one public  
 30 member shall be a representative of the interests of  
 31 organized labor.

32 ~~The terms of all members of the Authority holding office~~  
 33 ~~on the effective date of this amendatory Act of 1983, other~~  
 34 ~~than the ex-officio members, shall expire 90 days after that~~

1 date, and the Governor shall appoint 10 new members whose  
 2 terms shall commence the day following such expiration date.  
 3 Of the members initially appointed by the Governor pursuant  
 4 to this amendatory Act of 1983, 5 shall serve until the third  
 5 Monday in January, 1985 and 5 shall serve until the third  
 6 Monday in January, 1987, and until their successors are  
 7 appointed and qualified. The members initially appointed  
 8 under this amendatory Act of 1985 shall serve until the third  
 9 Monday in January, 1989. The members initially appointed  
 10 under this amendatory Act of the 91st General Assembly shall  
 11 serve until the 3rd Monday in January 2004. Each member  
 12 appointed under this paragraph who is confirmed by the Senate  
 13 shall hold office during the specified time and until his  
 14 successor shall be appointed and qualified.

15 Of the public members initially appointed by the Governor  
 16 pursuant to this amendatory Act of the 93rd General Assembly,  
 17 5 shall serve until the third Monday in January, 2007 and 4  
 18 shall serve until the third Monday in January, 2005, and  
 19 until their successors are appointed and qualified. All  
 20 successors shall hold office for a term of 4 years commencing  
 21 the third Monday in January of the year in which their term  
 22 commences, except in case of an appointment to fill a  
 23 vacancy. In case of vacancy in the office when the Senate is  
 24 not in session, the Governor may make a temporary appointment  
 25 until the next meeting of the Senate when he shall nominate  
 26 such person to fill such office, and any person so nominated  
 27 who is confirmed by the Senate, shall hold his office during  
 28 the remainder of the term and until his successor shall be  
 29 appointed and qualified. ~~If the Senate is not in session at~~  
 30 ~~the time the amendatory Acts of 1983 and 1985 and of the 91st~~  
 31 ~~General Assembly take effect, the Governor may make temporary~~  
 32 ~~appointments of the new public members as in the case of~~  
 33 ~~vacancies.~~

34 Members of the Authority shall not be entitled to

1 compensation for their services as members, but shall be  
2 entitled to reimbursement for all necessary expenses incurred  
3 in connection with the performance of their duties as  
4 members. A member of the Board who experiences a significant  
5 financial hardship due to the loss of income on days of  
6 attendance at meetings or while otherwise engaged in the  
7 business of the Board may be paid a hardship allowance, as  
8 determined by and subject to the approval of the Governor's  
9 Travel Control Board.

10 The Governor may remove any public member of the  
11 Authority in case of incompetency, neglect of duty, or  
12 malfeasance in office, after service on him of a copy of the  
13 written charges against him and an opportunity to be publicly  
14 heard in person or by counsel in his own defense upon not  
15 less than 10 days notice.

16 The Governor ~~members-of-the-Authority~~ shall appoint an  
17 Executive Director, who shall be a person knowledgeable in  
18 the areas of financial markets and instruments and the  
19 financing of business enterprises, to hold office during the  
20 pleasure of the Governor members. The Executive Director  
21 shall be the chief administrative and operational officer of  
22 the Authority and shall direct and supervise its  
23 administrative affairs and general management and perform  
24 such other duties as may be prescribed from time to time by  
25 the members and shall receive compensation fixed by the  
26 Authority. The Executive Director or any committee of the  
27 members may carry out such responsibilities of the members as  
28 the members by resolution may delegate. The Executive  
29 Director shall attend all meetings of the Authority; however,  
30 no action of the Authority shall be invalid on account of the  
31 absence of the Executive Director from a meeting.

32 The Authority may engage the services of such other  
33 agents and employees, including attorneys, appraisers,  
34 engineers, accountants, credit analysts and other

1 consultants, as it may deem advisable and may prescribe their  
2 duties and fix their compensation.

3 (Source: P.A. 91-798, eff. 7-9-00.)

4 Section 20-3605. The Illinois Farm Development Act is  
5 amended by changing Sections 4, 5, 6, and 7 as follows:

6 (20 ILCS 3605/4) (from Ch. 5, par. 1204)

7 Sec. 4. Authority created; appointments. There is hereby  
8 created a body politic and corporate to be known as the  
9 Illinois Farm Development Authority.

10 Until July 1, 2003 or when all of the new members to be  
11 initially appointed under this amendatory Act of the 93rd  
12 General Assembly have been appointed by the Governor,  
13 whichever occurs later, the Board of the Authority shall  
14 consist of 7 members.~~-The-Board-shall-consist-of-7-members,~~  
15 no more than 4 of whom may be of the same political party,  
16 all of whom shall be appointed by the Governor, by and with  
17 the consent of the Senate.

18 The term of each appointed member of the Board who is in  
19 office on June 30, 2003 shall terminate at the close of  
20 business on that date or when all of the new members to be  
21 initially appointed under this amendatory Act of the 93rd  
22 General Assembly have been appointed by the Governor,  
23 whichever occurs later.

24 Beginning on July 1, 2003 or when all of the new members  
25 to be initially appointed under this amendatory Act of the  
26 93rd General Assembly have been appointed by the Governor,  
27 whichever occurs later, the Board of the Authority shall  
28 consist of 5 members, no more than 3 of whom may be of the  
29 same political party, all of whom shall be appointed by the  
30 Governor, by and with the consent of the Senate.

31 No person may be appointed as a member of the Board who  
32 is serving as an elected officer for the State or for any

1 unit of local government or school district within the State.  
2 All members shall be residents of the State, and shall be  
3 knowledgeable in the fields of finance and/or agriculture.

4 If the Senate is not in session when the first  
5 appointments are made, the Governor shall make temporary  
6 appointments as in the case of a vacancy. In making the  
7 first appointments pursuant to this amendatory Act of the  
8 93rd General Assembly, the Governor shall designate 2 members  
9 to serve until the third Monday in January, 2007 1982, 2  
10 members to serve until the third Monday in January, 2006, and  
11 one 1983, ~~2 members to serve until January, 1984~~ and 1 member  
12 to serve until the third Monday in January, 2005, and 1985,  
13 or until their successors are appointed and qualified. Their  
14 successors shall be appointed to serve for 4 year terms  
15 expiring on the third Monday in January or until their  
16 successors are appointed and qualified. Any vacancy  
17 occurring in the Board whether by death, resignation or  
18 otherwise, shall be filled by appointment by the Governor in  
19 the same manner as original appointments. A member appointed  
20 to fill a vacancy shall serve for the remainder of the  
21 unexpired term or until his successor is qualified.

22 (Source: P.A. 82-518.)

23 (20 ILCS 3605/5) (from Ch. 5, par. 1205)

24 Sec. 5. Officers; reports; initial expenses. The  
25 Governor shall appoint one of the members of the Board to  
26 serve as chairman, who shall preside over meetings of the  
27 Board. The Board shall annually elect, from its membership,  
28 a chairman, vice-chairman, a treasurer, and a secretary. The  
29 secretary shall be the keeper of the minutes, books, records,  
30 files and seal of the Authority. The treasurer of the  
31 Authority shall be custodian of all Authority funds, and  
32 shall be bonded in such amount as the other members of the  
33 Authority may designate.

1           The accounts and books of the Authority shall be set up  
2 and maintained in a manner approved by the Auditor General,  
3 and the Authority shall file with the Auditor General a  
4 certified annual report within 120 days after the close of  
5 its fiscal year. The Authority shall also file with the  
6 State Treasurer, the Secretary of the Senate, the Clerk of  
7 the House of Representatives and the Illinois Economic and  
8 Fiscal Commission, by March 1 of each year, a written report  
9 covering its activities for the previous calendar year and,  
10 when so filed, such report shall be a public record and open  
11 for inspection at the offices of the Authority during normal  
12 business hours. The report shall include a complete list of  
13 (a) all applications for mortgage loans and other financial  
14 assistance presented to the Authority during such calendar  
15 year, (b) all persons which have received any form of  
16 financial assistance from the Authority during such calendar  
17 year, (c) the nature and amount of all such financial  
18 assistance, and (d) projected activities of the Authority for  
19 the next calendar year, including a projection of the total  
20 amount of mortgage loans and other financial assistance  
21 anticipated and the amount of revenue bonds or other  
22 evidences of indebtedness that will be necessary to provide  
23 the projected level of assistance during the next calendar  
24 year.

25           As soon as may be practicable after creation of the  
26 Authority, the Board shall hold a meeting at which meeting  
27 elective officers of the Board shall be elected, by-laws  
28 adopted, and a schedule of regular meetings adopted.

29           The by-laws and schedule may be amended from time to time  
30 at the will of the Board. Special meetings of the Board may  
31 be called by the chairmen or any two members, and notice of  
32 special meetings shall be given to members of the Board as  
33 provided in the by-laws and otherwise as provided by law.  
34 Members may waive notice and do so without further action by



1 being present at any meeting. Meetings of the Board shall be  
2 subject to the acts of the General Assembly as generally  
3 provide for meetings of public bodies to be open to the  
4 public.

5 Initial operating staff and expenses of the Authority  
6 shall be provided by the State Treasurer from appropriations  
7 lawfully made by the General Assembly. As soon as may be  
8 practicable, the Board shall provide for its expenses and  
9 payment of employees, including salaries and contractual  
10 agreements, from its operations by such charges and fees or  
11 from the proceeds of Bonds as it may decide or from  
12 investment earnings from special funds which the Authority is  
13 empowered to use and at such time, if practicable, shall  
14 reimburse the State Treasurer for prior costs and payments.

15 (Source: P.A. 89-154, eff. 7-19-95.)

16 (20 ILCS 3605/6) (from Ch. 5, par. 1206)

17 Sec. 6. Quorum; expenses.

18 (a) If there is no vacancy on the Board, 4 members of  
19 the Board shall constitute a quorum to transact business;  
20 otherwise, a majority of the Board shall constitute a quorum  
21 to transact business, and no vacancy shall impair the right  
22 of the remaining members to exercise all of the powers of the  
23 Board. Every action approved by a majority of the members of  
24 the Board shall be deemed to be the action of the Board.

25 ~~Four members of the Board shall constitute a quorum at any~~  
26 ~~meeting of the Board and the affirmative vote of 4 members~~  
27 ~~shall be necessary for any action taken by the Board at a~~  
28 ~~meeting, except that a lesser number may adjourn a meeting~~  
29 ~~from time to time.~~ No vacancy in the membership of the Board  
30 shall impair the right of a quorum to exercise all the rights  
31 and perform all the duties of the Board and Authority.

32 (b) The members of the Board shall serve without  
33 compensation, but each member shall be reimbursed for his

1 necessary expenses incurred in the discharge of his official  
2 duties. A member of the Board who experiences a significant  
3 financial hardship due to the loss of income on days of  
4 attendance at meetings or while otherwise engaged in the  
5 business of the Board may be paid a hardship allowance, as  
6 determined by and subject to the approval of the Governor's  
7 Travel Control Board.

8 (Source: P.A. 82-518.)

9 (20 ILCS 3605/7) (from Ch. 5, par. 1207)

10 Sec. 7. The Authority shall have the following powers,  
11 together with all powers incidental thereto or necessary to  
12 the discharge thereof in corporate form:

13 (1) To have perpetual succession by its corporate name  
14 as a body politic and corporate;

15 (2) To sue and be sued in its own name in civil suits  
16 and actions, and to defend suits against it;

17 (3) To adopt and make use of a corporate seal and to  
18 alter the same at pleasure;

19 (4) To adopt, alter and repeal by-laws, not inconsistent  
20 with the provisions of this Act, for the regulation and  
21 conduct of its affairs and business;

22 (5) To loan its funds to one or more persons to be used  
23 by such persons to pay the costs of acquiring, constructing,  
24 reconstructing or improving Agricultural Facilities, soil or  
25 water conservation projects or watershed areas, such loans to  
26 be on such terms and conditions, and for such period of time,  
27 and secured or evidenced by such mortgages, deeds of trust,  
28 notes debentures, bonds or other secured or unsecured  
29 evidences of indebtedness of such persons as the Board may  
30 determine;

31 (6) To loan its funds to any agribusiness which operates  
32 or will operate a facility located in Illinois for those  
33 purposes permitted by rules and regulations issued pursuant

1 to the Internal Revenue Code of 1954, as amended, relating to  
2 the use of moneys loaned from the proceeds from the issuance  
3 of industrial development revenue bonds; such loans shall be  
4 on terms and conditions, and for periods of time, and secured  
5 or evidenced by mortgages, deeds of trust, notes, debentures,  
6 bonds or other secured or unsecured evidences of indebtedness  
7 of such agribusiness as the Board may require;

8 (7) To purchase, or to make commitments to purchase,  
9 from lenders notes, debentures, bonds or other evidences of  
10 indebtedness secured by mortgages, deeds of trust, or to the  
11 security devices, or unsecured, as the Board may determine,  
12 or portions thereof or participations therein, which notes,  
13 bonds, or other evidences of indebtedness shall have been or  
14 will be executed by the obligors thereon to obtain funds with  
15 which to acquire, by purchase, construction, or otherwise,  
16 reconstruct or improve Agricultural Facilities;

17 (8) To contract with lenders or others for the  
18 origination of or the servicing of the loans made by the  
19 Authority pursuant to paragraph (5) of this Section or  
20 represented by the notes, bonds, or other evidences of  
21 indebtedness which it has purchased pursuant to paragraph (6)  
22 of this Section; provided that such servicing fees shall not  
23 exceed one per cent per annum of the principal amount  
24 outstanding owed to the Authority;

25 (9) To foreclose any mortgages, deeds of trust, notes,  
26 debentures, bonds and other security interests held by it,  
27 either by action or by exercise of a power of sale, and to  
28 sell the equity of redemption in said security interests in  
29 accordance with the terms of said instruments and applicable  
30 state law, and to take all such other actions as may be  
31 necessary to enforce any obligation held by it;

32 (10) To purchase the equity of redemption in any such  
33 mortgage, deed of trust, note, debenture, bond or other  
34 security;

1           (11) To receive and accept, from any source, aid or  
2 contributions of money, property, labor or other items of  
3 value for furtherance of any of its purposes, subject to any  
4 conditions not inconsistent herewith or with the laws of this  
5 State pertaining to such contributions, including, but  
6 without limitation to, gifts, guarantees, or grants from any  
7 department, agency or instrumentality of the United States of  
8 America;

9           (12) To collect such fees and charges in connection with  
10 its loans, advances, insurance, commitments, servicing and  
11 other activities as it may determine;

12           (13) To sell at either public or private sale, with or  
13 without public bidding, any notes, bonds, or other evidences  
14 of indebtedness or other obligation held by the Authority;

15           (14) To procure such insurance, letters of credit and  
16 guarantees as the Board may deem advisable, including, but  
17 without limitation to, insurance or guarantees against any  
18 loss in connection with any notes or obligations held by it,  
19 and any of its property or assets, and for payment of any  
20 Bonds or other obligations issued by the Authority, in such  
21 amounts and from such public or private entities, as it may  
22 deem advisable, and to pay premiums or other charges for any  
23 such insurance or guarantees;

24           (15) To borrow money and to sell and issue its Bonds for  
25 any corporate function, use or purpose authorized herein;

26           (16) To mortgage, pledge, assign or grant security  
27 interests in any or all of its notes, bonds, or other  
28 evidences of indebtedness or other instruments, contract  
29 rights or other property, including, but without limitation  
30 to, any receipts from insurance on or guarantees of any of  
31 its notes or other instruments, as security for the payment  
32 of the principal of and interest on any Bonds issued by the  
33 Authority, or as security for any agreements made in  
34 connection therewith, whether then owned or thereafter

1 acquired, and to pledge the revenues from which said Bonds  
2 are payable as security for the payment of the principal of  
3 and interest on said Bonds and any agreements made in  
4 connection therewith;

5 (17) To execute and deliver, in accordance with the  
6 provisions of this Section and Section 8 hereof, mortgages  
7 and deeds of trust and trust indentures, or either;

8 (18) To appoint, employ, contract with, and provide for  
9 the compensation of such officers, employees and agents,  
10 including, but without limitation to, engineers, attorneys,  
11 management consultants, fiscal advisers, and agricultural,  
12 silvicultural and aquacultural experts, as the business of  
13 the Authority may require; provided, however, that no Board  
14 member or member of his or her firm, business, partnership or  
15 corporation shall be employed or compensated by the  
16 Authority; and provided further that the Executive Director  
17 of the Authority, if there is one, shall be appointed by the  
18 Governor;

19 (19) To invest any funds of the Authority that the Board  
20 may determine are not presently needed for any of its  
21 corporate purposes in such obligations as the Board may  
22 determine;

23 (20) To enter into a management agreement or agreements  
24 with a person for the management by said person for the  
25 Authority of any of its properties upon such terms and  
26 conditions as may be mutually agreeable;

27 (21) To sell, exchange, donate and convey any or all of  
28 its properties whenever the Board shall find any such action  
29 to be in furtherance of the purposes for which the Authority  
30 was established;

31 (22) To make, enter into, and execute such contracts,  
32 agreements, leases and other instruments with any person,  
33 including without limitation, any federal, state or local  
34 governmental agency, and to take such other actions as may be

1 necessary or convenient to accomplish any purpose for which  
2 the Authority was organized or to exercise any power  
3 expressly granted hereunder;

4 (23) To enter into a State Guarantee with a lender or a  
5 person holding a note and to sell or issue such State  
6 Guarantees, bonds or evidences of indebtedness in a primary  
7 or a secondary market;

8 (24) To promulgate and adopt such necessary rules and  
9 regulations as are consistent with this Act.

10 (Source: P.A. 84-1452.)

11 Section 20-3705. The Illinois Health Facilities  
12 Authority Act is amended by changing Sections 3.01, 3.02,  
13 3.04, and 3.06 as follows:

14 (20 ILCS 3705/3.01) (from Ch. 111 1/2, par. 1103.01)

15 Sec. 3.01. Authority; appointment.

16 (a) Until July 1, 2003 or when all of the new members to  
17 be initially appointed under this amendatory Act of the 93rd  
18 General Assembly have been appointed by the Governor,  
19 whichever occurs later, the Authority shall consist of 7  
20 members, appointed by the Governor, by and with the consent  
21 of the Senate, who shall be residents of the State, not more  
22 than 4 of whom shall be members of the same political party.

23 The term of each appointed member of the Authority who is  
24 in office on June 30, 2003 shall terminate at the close of  
25 business on that date or when all of the new members to be  
26 initially appointed under this amendatory Act of the 93rd  
27 General Assembly have been appointed by the Governor,  
28 whichever occurs later.

29 (b) Beginning on July 1, 2003 or when all of the new  
30 members to be initially appointed under this amendatory Act  
31 of the 93rd General Assembly have been appointed by the  
32 Governor, whichever occurs later, the Authority shall consist

1 of 5 members, appointed by the Governor by and with the  
2 consent of the Senate, who shall be residents of the State,  
3 not more than 3 of whom shall be members of the same  
4 political party.

5 (c) The 5 members of the Authority first appointed  
6 pursuant to this amendatory Act of the 93rd General Assembly  
7 shall serve for terms expiring on June 30 in 2005, 2006,  
8 2007, 2008, and 2009 ~~1972, 1973, 1974, 1975, 1976, and~~  
9 ~~1978,~~ respectively, and until their respective successors  
10 have been appointed and have qualified, the term of each such  
11 member to be designated by the Governor. Upon the expiration  
12 of the term of any member his successor shall be appointed  
13 for a term of 7 years and until his successor has been  
14 appointed and has qualified. The Governor shall fill any  
15 vacancy for the remainder of the unexpired term.

16 (d) Any member of the Authority may be removed by the  
17 Governor for misfeasance, malfeasance or wilful neglect of  
18 duty or other cause after notice and a public hearing unless  
19 such notice and hearing shall be expressly waived in writing.  
20 (Source: P.A. 79-46.)

21 (20 ILCS 3705/3.02) (from Ch. 111 1/2, par. 1103.02)  
22 Sec. 3.02. Chairman; executive directors.

23 (a) As soon as possible after the appointment of the  
24 initial members, the Authority shall organize for the  
25 transaction of business.

26 (b) The Governor shall appoint one of the members of the  
27 Authority to serve as chairman, who shall preside over  
28 meetings of the Authority. The Authority shall annually  
29 elect one of its members to serve as ~~chairman--and--one--as~~  
30 vice-chairman.

31 (c) The Authority shall have an Executive Director, who  
32 shall be appointed by the Governor. The salary and duties of  
33 the Executive Director shall be fixed by the Authority.

1        The Authority ~~It~~ shall appoint an executive-director--and  
 2        associate executive director, who shall not be a member  
 3        ~~members~~ of the Authority, who shall serve at the pleasure of  
 4        the Authority, and who.--They shall receive such compensation  
 5        as shall be fixed by the Authority.

6        (Source: P.A. 77-2635.)

7                (20 ILCS 3705/3.04) (from Ch. 111 1/2, par. 1103.04)

8                Sec. 3.04. Quorum; meetings.

9                (a) If there is no vacancy on the Authority, 4 members  
 10              of the Authority shall constitute a quorum to transact  
 11              business; otherwise, a majority of the Authority shall  
 12              constitute a quorum to transact business, and no vacancy  
 13              shall impair the right of the remaining members to exercise  
 14              all of the powers of the Authority. Every action approved by  
 15              a majority of the members of the Authority shall be deemed to  
 16              be the action of the Authority.     ~~Four--members--of--the~~

17              ~~Authority--shall--constitute--a--quorum.--The--affirmative--vote--of~~  
 18              ~~a--majority--of--all--the--members--of--the--Authority--shall--be~~  
 19              ~~necessary--for--any--action--taken--by--the--Authority.~~     A vacancy  
 20              in the membership of the Authority shall not impair the right  
 21              of a quorum to exercise all the rights and perform all the  
 22              duties of the Authority.

23              (b) Each meeting of the Authority shall be open to the  
 24              public. Notice of meetings, or waivers thereof, shall be as  
 25              provided in the by-laws of the Authority. Resolutions of the  
 26              Authority need not be published or posted. The Authority may  
 27              delegate by resolution to one or more of its members or its  
 28              executive director or associate executive director such  
 29              powers and duties as it may deem proper.

30              (Source: P.A. 79-46.)

31              (20 ILCS 3705/3.06) (from Ch. 111 1/2, par. 1103.06)

32              Sec. 3.06. Expenses. The members of the Authority shall



1 receive no compensation for the performance of their duties  
2 as members but each such member shall be paid his necessary  
3 expenses while engaged in the performance of such duties. A  
4 member of the Board who experiences a significant financial  
5 hardship due to the loss of income on days of attendance at  
6 meetings or while otherwise engaged in the business of the  
7 Board may be paid a hardship allowance, as determined by and  
8 subject to the approval of the Governor's Travel Control  
9 Board.

10 (Source: P.A. 77-2635.)

11 Section 20-3805. The Illinois Housing Development Act is  
12 amended by changing Sections 4, 6, and 7.15 as follows:

13 (20 ILCS 3805/4) (from Ch. 67 1/2, par. 304)

14 Sec. 4. Authority. There is hereby created a body  
15 politic and corporate to be known as the Illinois Housing  
16 Development Authority.

17 Until July 1, 2003 or when all of the new members to be  
18 initially appointed under this amendatory Act of the 93rd  
19 General Assembly have been appointed by the Governor,  
20 whichever occurs later, the Authority shall consist of 9  
21 members, including a senior citizen age 60 or older, of whom  
22 not more than three shall be from any one county in the State  
23 and of whom not more than 5 shall be of any one political  
24 party. The Governor shall appoint the members of the  
25 Authority by and with the advice and consent of the Senate.

26 The term of each appointed member of the Authority who is  
27 in office on June 30, 2003 shall terminate at the close of  
28 business on that date or when all of the new members to be  
29 initially appointed under this amendatory Act of the 93rd  
30 General Assembly have been appointed by the Governor,  
31 whichever occurs later.

32 Beginning on July 1, 2003 or when all of the new members

1 to be initially appointed under this amendatory Act of the  
2 93rd General Assembly have been appointed by the Governor,  
3 whichever occurs later, the Authority shall consist of 7  
4 members appointed by the Governor with the advice and consent  
5 of the Senate, including a senior citizen age 60 or older.  
6 Not more than 2 members shall be from any one county in the  
7 State and not more than 4 shall be of any one political  
8 party.

9 Three members first appointed under this amendatory Act  
10 of the 93rd General Assembly shall hold office until the  
11 second Monday in January, 2005 ~~1971~~ and until their  
12 successors are appointed and qualified, and four members  
13 shall hold office until the second Monday in January, 2007  
14 ~~1973~~ and until their successors are appointed and qualified.  
15 ~~The members first appointed under this amendatory Act of 1984~~  
16 ~~shall serve for a term of 4 years, commencing with the second~~  
17 ~~Monday in January, 1985.~~ After the expiration of the terms  
18 of office of those first appointed, their respective  
19 successors shall hold office from the second Monday in  
20 January of the year of their respective appointments for a  
21 term of four years and until their successors are appointed  
22 and qualified.

23 In case of vacancies in such offices during the recess of  
24 the Senate, the Governor shall make a temporary appointment  
25 until the next meeting of the Senate when he shall nominate  
26 some person to fill such office, and any person so nominated,  
27 who is confirmed by the Senate, shall hold his office during  
28 the remainder of the term and until his successor shall be  
29 appointed and qualified. If the Senate is not in session at  
30 the time this provision takes effect, the Governor shall make  
31 a temporary appointment as in the case of a vacancy.

32 (Source: P.A. 83-1538.)

1           Sec. 6. Quorum; expenses. ~~Four~~ Five members of the  
2 Authority shall constitute a quorum at any meeting of the  
3 Authority and the affirmative vote of 4 ~~of 5~~ members shall be  
4 necessary for any action taken by the Authority at a meeting,  
5 except that the Authority may act by unanimous written  
6 consent if provided for in the by-laws of the Authority. No  
7 vacancy in the membership of the Authority shall impair the  
8 right of a quorum to exercise all the rights and perform all  
9 the duties of the Authority.

10           The members of the Authority shall serve without  
11 compensation, but each member shall be reimbursed for his  
12 necessary expenses incurred in the discharge of his official  
13 duties. A member of the Board who experiences a significant  
14 financial hardship due to the loss of income on days of  
15 attendance at meetings or while otherwise engaged in the  
16 business of the Board may be paid a hardship allowance, as  
17 determined by and subject to the approval of the Governor's  
18 Travel Control Board.

19 (Source: P.A. 83-1538.)

20 (20 ILCS 3805/7.15) (from Ch. 67 1/2, par. 307.15)

21 Sec. 7.15. Executive director; employees.

22           (a) The Authority shall have an executive director, who  
23 shall be appointed by the Governor. The salary and duties of  
24 the executive director shall be set by the Authority.

25           (b) The Authority may employ other agents, employees,  
26 professional and business advisers as may from time to time  
27 be necessary in its judgment and fix their compensation. The  
28 Authority shall file copies of such contracts as required by  
29 the "State Comptroller Act", approved September 7, 1972, as  
30 amended.

31 (Source: P.A. 83-515.)

32           Section 20-3850. The Illinois Research Park Authority

1 Act is amended by changing Sections 1-20, 1-25, and 1-30 as  
2 follows:

3 (20 ILCS 3850/1-20)

4 Sec. 1-20. Members of Authority; terms; vacancies.

5 (a) The governing and administrative powers of the  
6 Authority shall be vested in the Board.

7 Until July 1, 2003 or when all of the new members to be  
8 initially appointed under this amendatory Act of the 93rd  
9 General Assembly have been appointed by the Governor,  
10 whichever occurs later, the Board shall consist a body  
11 consisting of 9 members, to be appointed by the Governor,  
12 with the advice and consent of the Senate.

13 The term of each appointed member of the Board who is in  
14 office on June 30, 2003 shall terminate at the close of  
15 business on that date or when all of the new members to be  
16 initially appointed under this amendatory Act of the 93rd  
17 General Assembly have been appointed by the Governor,  
18 whichever occurs later.

19 Beginning on July 1, 2003 or when all of the new members  
20 to be initially appointed under this amendatory Act of the  
21 93rd General Assembly have been appointed by the Governor,  
22 whichever occurs later, the Board shall consist of 7 members  
23 appointed by the Governor with the advice and consent of the  
24 Senate.

25 All of the members shall be residents of the State. All  
26 of the members shall have recognized ability and experience  
27 in one or more of the following areas: higher education,  
28 research and development, science and technology, economic  
29 development, finance, banking, industrial development,  
30 business administration or management, real estate  
31 development, community development, venture finance,  
32 organized labor, or civic, community, or neighborhood  
33 organization.

1        The Governor shall designate one of the members to serve  
 2 as A Chairman. A and Vice Chairman of the Board shall be  
 3 elected by the Board annually from among its members.

4        ~~The terms of all members of the Board shall begin 30~~  
 5 ~~days after the effective date of this Act.~~ Of the members  
 6 initially appointed by the Governor under this amendatory Act  
 7 of the 93rd General Assembly, 3 shall serve until the third  
 8 Monday in January, 2005 ~~1996~~, 2 shall serve until the third  
 9 Monday in January, 2006 ~~1997~~, and 2 shall serve until the  
 10 third Monday in January, 2007 ~~1998~~. Each successor shall  
 11 hold office of a term of 4 years commencing the third Monday  
 12 in January of the year in which his or her term commences,  
 13 except in case of an appointment to fill a vacancy. In case  
 14 of vacancy when the Senate is not in session, the Governor  
 15 may make a temporary appointment until the next meeting of  
 16 the Senate when a person shall be nominated to fill the  
 17 office, and any person so nominated who is confirmed by the  
 18 Senate shall hold office during the remainder of the term and  
 19 until a successor is appointed and qualified.

20        (Source: P.A. 91-626, eff. 1-1-00.)

21        (20 ILCS 3850/1-25)

22        Sec. 1-25. Compensation; expenses of members. The  
 23 members of the Board shall receive no compensation for the  
 24 performance of their duties as members, but each member shall  
 25 be reimbursed for reasonable and necessary expenses while  
 26 engaged in the performance of his or her duties. A member of  
 27 the Board who experiences a significant financial hardship  
 28 due to the loss of income on days of attendance at meetings  
 29 or while otherwise engaged in the business of the Board may  
 30 be paid a hardship allowance, as determined by and subject to  
 31 the approval of the Governor's Travel Control Board.

32        (Source: P.A. 88-669, eff. 11-29-94.)

1 (20 ILCS 3850/1-30)

2 Sec. 1-30. Executive Director and employees; operating  
3 expenses.

4 (a) The Governor Board shall appoint an Executive  
5 Director who shall have a background in the financing and  
6 development of business enterprises or real estate, or a  
7 background in economic development and administration  
8 including familiarity with the legal and procedural  
9 requirements of issuing bonds. The Executive Director shall  
10 hold office at the pleasure of the Governor Board.

11 The Executive Director shall be the chief administrative  
12 and operational officer of the Authority, shall direct and  
13 supervise its administrative affairs and general management,  
14 shall perform other duties that may be prescribed from time  
15 to time by the members and shall receive compensation as  
16 fixed by the Board. The Executive Director shall attend all  
17 meetings of the Board, provided, however, that no action of  
18 the Board shall be invalid on account of the absence of the  
19 Executive Director from a meeting.

20 (b) The Authority may engage the services of other  
21 agents and employees, including attorneys, appraisers,  
22 engineers, accountants, credit analysts and other  
23 consultants, as it may deem advisable and may prescribe their  
24 duties and fix their compensation.

25 (c) Initial operating staff and expenses of the  
26 Authority may be provided by appropriations lawfully made by  
27 the General Assembly. As soon as may be practicable, the  
28 Authority shall provide for its expenses and payment of  
29 employees, including salaries and contractual agreements,  
30 from its operation by charges and fees, from the proceeds of  
31 bonds as it may decide, or from investment earnings from  
32 special funds that the Authority is empowered to use.

33 (Source: P.A. 88-669, eff. 11-29-94.)

1 Section 20-3915. The Arts Council Act is amended by  
2 changing Sections 1, 2, and 6 as follows:

3 (20 ILCS 3915/1) (from Ch. 127, par. 214.11)

4 Sec. 1. Council created. There is created the Illinois  
5 Arts Council, an agency of the State of Illinois.

6 Until July 1, 2003 or when all of the new members to be  
7 initially appointed under this amendatory Act of the 93rd  
8 General Assembly have been appointed by the Governor,  
9 whichever occurs later, the Illinois Arts Council shall be  
10 composed of not less than 13 nor more than 35 members to be  
11 appointed by the Governor, one of whom shall be a senior  
12 citizen age 60 or over.

13 The term of each appointed member of the Council who is  
14 in office on June 30, 2003 shall terminate at the close of  
15 business on that date or when all of the new members to be  
16 initially appointed under this amendatory Act of the 93rd  
17 General Assembly have been appointed by the Governor,  
18 whichever occurs later.

19 Beginning on July 1, 2003 or when all of the new members  
20 to be initially appointed under this amendatory Act of the  
21 93rd General Assembly have been appointed by the Governor,  
22 whichever occurs later, the Illinois Arts Council shall be  
23 composed of 21 members to be appointed by the Governor, one  
24 of whom shall be a senior citizen age 60 or over.

25 In making initial appointments pursuant to this  
26 amendatory Act of the 93rd General Assembly, the Governor  
27 shall designate approximately one-half of the members to  
28 serve for 2 years, and the balance of the members to serve  
29 for 4 years, each term of office to end on eommence July 17  
30 1965.--The-senior-citizen-member-first-appointed--under--this  
31 amendatory--Act--of--1984--shall--serve-for-a-term-of-4-years  
32 eommeneing-July-17-1985. Thereafter all appointments shall  
33 be made for a 4 year term. The Governor shall designate the

1 Chairman of the Council from among the members thereof.

2 (Source: P.A. 83-1538.)

3 (20 ILCS 3915/2) (from Ch. 127, par. 214.12)

4 Sec. 2. Expenses. No member may receive compensation for  
5 his services, but each member may be reimbursed for expenses  
6 incurred in the performance of his duties. A member of the  
7 Council who experiences a significant financial hardship due  
8 to the loss of income on days of attendance at meetings or  
9 while otherwise engaged in the business of the Council may be  
10 paid a hardship allowance, as determined by and subject to  
11 the approval of the Governor's Travel Control Board.

12 (Source: Laws 1965, p. 1965.)

13 (20 ILCS 3915/6) (from Ch. 127, par. 214.16)

14 Sec. 6. Employees; operational services.

15 (a) The Council may employ an executive director, a  
16 secretary, and such clerical, technical and other employees  
17 and assistants as it considers necessary for the proper  
18 transaction of its business.

19 (b) The Department of Central Management Services shall  
20 provide to the Illinois Arts Council the same type and level  
21 of services as it provides to other State agencies, including  
22 but not limited to office space, communications, facilities  
23 management, and any other operational services that the  
24 Department provides to other State offices and agencies, as  
25 necessary to fulfill the Council's statutory mandate.

26 (Source: Laws 1965, p. 1965.)

27 Section 20-3918. The Illinois Building Commission Act is  
28 amended by changing Sections 10 and 15 as follows:

29 (20 ILCS 3918/10)

30 Sec. 10. Creation. An advisory commission, to be known



1 as the Illinois Building Commission, is created. The  
2 Commission shall consist of 11 members, including: a fire  
3 official, a building official, an architect, a professional  
4 engineer, a structural engineer, a commercial contractor  
5 representative, a residential construction industry  
6 representative, a mechanical and specialty contractor  
7 representative, a labor representative, a disability  
8 advocate, and a member of the public. The Commission shall  
9 be appointed by the Governor, with the advice and consent of  
10 the Senate.

11 Notwithstanding any other provision of this Section, the  
12 term of each member of the Commission who was appointed by  
13 the Governor and is in office on June 30, 2003 shall  
14 terminate at the close of business on that date or when all  
15 of the successor members to be appointed pursuant to this  
16 amendatory Act of the 93rd General Assembly have been  
17 appointed by the Governor, whichever occurs later. As soon  
18 as possible, the Governor shall appoint persons to fill the  
19 vacancies created by this amendatory Act.

20 (Source: P.A. 90-269, eff. 1-1-98.)

21 (20 ILCS 3918/15)

22 Sec. 15. Terms and reimbursement. The fire official,  
23 architect, structural engineer, commercial contractor  
24 representative, labor representative, and member of the  
25 public shall serve initial terms of 2 years. The building  
26 official, professional engineer, residential construction  
27 industry representative, mechanical and specialty contractor  
28 representative, and disability advocate shall serve initial  
29 terms of 3 years. Each subsequent term shall be for 3 years.  
30 Members may be appointed for more than one term.

31 The A chairman of the Commission shall be designated by  
32 the Governor from among elected-each-year-by the members of  
33 the Commission.

1 Commission members shall be reimbursed for their  
 2 necessary expenses incurred in the performance of their  
 3 duties. ~~travel-expenses-and-shall-receive-a-per-diem-for-each~~  
 4 ~~day-that-the-Commission-or-a-subcommittee-on-which-the-member~~  
 5 ~~serves-meets.~~ Travel reimbursement shall be consistent with  
 6 the rules of the Governor's Travel Control Board.

7 A member of the Commission who experiences a significant  
 8 financial hardship due to the loss of income on days of  
 9 attendance at meetings or while otherwise engaged in the  
 10 business of the Commission may be paid a hardship allowance,  
 11 as determined by and subject to the approval of the  
 12 Governor's Travel Control Board.

13 The Commission may have an executive director; if so, the  
 14 executive director shall be appointed by the Governor. The  
 15 salary and duties of the executive director shall be set by  
 16 the Commission.

17 (Source: P.A. 90-269, eff. 1-1-98.)

18 Section 20-3930. The Illinois Criminal Justice  
 19 Information Act is amended by changing Sections 4, 5, and 6  
 20 as follows:

21 (20 ILCS 3930/4) (from Ch. 38, par. 210-4)

22 Sec. 4. Illinois Criminal Justice Information Authority;  
 23 creation, membership, and meetings. There is created an  
 24 Illinois Criminal Justice Information Authority ~~consisting-of~~  
 25 ~~20-members.~~

26 Until July 1, 2003 or when all of the new members to be  
 27 initially appointed under this amendatory Act of the 93rd  
 28 General Assembly have been appointed by the Governor,  
 29 whichever occurs later, the membership of the Authority shall  
 30 consist of the Illinois Attorney General, or his or her  
 31 designee, the Director of the Illinois Department of  
 32 Corrections, the Director of the Illinois Department of State

1 Police, the Sheriff of Cook County, the State's Attorney of  
2 Cook County, the Clerk of the Circuit Court of Cook County,  
3 the Superintendent of the Chicago Police Department, the  
4 Director of the Office of the State's Attorneys Appellate  
5 Prosecutor, the Executive Director of the Illinois Law  
6 Enforcement Training Standards Board, the State Appellate  
7 Defender, and the following additional members, each of whom  
8 shall be appointed by the Governor: a circuit court clerk, a  
9 sheriff, and a State's Attorney of a county other than Cook,  
10 a chief of police, and 6 members of the general public.

11 The term of each appointed member of the Authority who is  
12 in office on June 30, 2003 shall terminate at the close of  
13 business on that date or when all of the new members to be  
14 initially appointed under this amendatory Act of the 93rd  
15 General Assembly have been appointed by the Governor,  
16 whichever occurs later.

17 Beginning on July 1, 2003 or when all of the new members  
18 to be initially appointed under this amendatory Act of the  
19 93rd General Assembly have been appointed by the Governor,  
20 whichever occurs later, the membership of the Authority shall  
21 consist of 10 ex officio members and 8 appointed members.

22 The following officers and officials shall serve ex  
23 officio as members of the Authority: the Illinois Attorney  
24 General, or his or her designee, the Director of the Illinois  
25 Department of Corrections, the Director of the Illinois  
26 Department of State Police, the Sheriff of Cook County, the  
27 State's Attorney of Cook County, the Clerk of the Circuit  
28 Court of Cook County, the Superintendent of the Chicago  
29 Police Department, the Director of the Office of the State's  
30 Attorneys Appellate Prosecutor, the Executive Director of the  
31 Illinois Law Enforcement Training Standards Board, and the  
32 State Appellate Defender.

33 The following 8 members shall be appointed by the  
34 Governor: a circuit court clerk, a sheriff, a State's

1 Attorney of a county other than Cook, a Public Defender of a  
2 county other than Cook, a chief of police, and 3 members of  
3 the general public.

4 The Governor from time to time shall designate a Chairman  
5 of the Authority from the membership.

6 Of the appointed members of the Authority who are  
7 initially appointed pursuant to this amendatory Act of the  
8 93rd General Assembly, 4 shall be appointed for terms ending  
9 on the third Monday in January, 2005, and 4 shall be  
10 appointed for terms ending on the third Monday in January,  
11 2007, and until their successors are appointed and qualified.

12 Thereafter, all members of the Authority appointed by the  
13 Governor shall serve at the pleasure of the Governor for a  
14 term not to exceed 4 years. ~~The initial appointed members of~~  
15 ~~the Authority shall serve from January, 1983 until the third~~  
16 ~~Monday in January, 1987 or until their successors are~~  
17 ~~appointed.~~

18 The Authority shall meet at least quarterly, and all  
19 meetings of the Authority shall be called by the Chairman.

20 (Source: P.A. 91-483, eff. 1-1-00; 91-798, eff. 7-9-00;  
21 92-21, eff. 7-1-01.)

22 (20 ILCS 3930/5) (from Ch. 38, par. 210-5)

23 Sec. 5. No Compensation - Expenses. Members of the  
24 Authority, ~~other than the Chairman,~~ shall serve without  
25 compensation. All members shall be reimbursed for reasonable  
26 expenses incurred in connection with their duties. A member  
27 of the Board who experiences a significant financial hardship  
28 due to the loss of income on days of attendance at meetings  
29 or while otherwise engaged in the business of the Board may  
30 be paid a hardship allowance, as determined by and subject to  
31 the approval of the Governor's Travel Control Board.

32 (Source: P.A. 82-1039.)

1 (20 ILCS 3930/6) (from Ch. 38, par. 210-6)

2 Sec. 6. Executive Director. The Governor shall appoint  
3 an Executive Director of the Authority with the advice and  
4 consent of the Senate. The Executive Director shall employ,  
5 in accordance with the provisions of the Illinois Personnel  
6 Code, such administrative, professional, clerical, and other  
7 personnel as may be required. The Executive Director may  
8 organize the staff of the Authority as he may deem  
9 appropriate.

10 The term of the Executive Director of the Authority who  
11 is serving on June 30, 2003 shall terminate at the close of  
12 business on that date or upon the appointment of a successor  
13 Executive Director by the Governor, whichever occurs later.

14 (Source: P.A. 82-1039.)

15 Section 20-3955. The Guardianship and Advocacy Act is  
16 amended by changing Sections 4 and 5 as follows:

17 (20 ILCS 3955/4) (from Ch. 91 1/2, par. 704)

18 Sec. 4. Commission; chairman; quorum; expenses.

19 (a) Until July 1, 2003 or when all of the new members to  
20 be initially appointed under this amendatory Act of the 93rd  
21 General Assembly have been appointed by the Governor,  
22 whichever occurs later, the Commission shall consist of 11  
23 members, one of whom shall be a senior citizen age 60 or  
24 over, who shall be appointed by the Governor, taking into  
25 account the requirements of State and federal statutes, with  
26 the advice and consent of the Senate.

27 The term of each appointed member of the Commission who  
28 is in office on June 30, 2003 shall terminate at the close of  
29 business on that date or when all of the new members to be  
30 initially appointed under this amendatory Act of the 93rd  
31 General Assembly have been appointed by the Governor,  
32 whichever occurs later.

1 Beginning on July 1, 2003 or when all of the new members  
 2 to be initially appointed under this amendatory Act of the  
 3 93rd General Assembly have been appointed by the Governor,  
 4 whichever occurs later, the Commission shall consist of 7  
 5 members appointed by the Governor with the advice and consent  
 6 of the Senate, taking into account the requirements of State  
 7 and federal statutes. One member shall be a senior citizen  
 8 age 60 or over.

9 All appointments shall be filed with the Secretary of  
 10 State by the appointing authority.

11 (b) Of the terms--of--the original members appointed  
 12 pursuant to this amendatory Act of the 93rd General Assembly,  
 13 2 shall be appointed for terms ending on June 30, 2004, 2  
 14 shall be appointed for terms ending on June 30, 2005, and 3  
 15 shall be appointed for terms ending on June 30, 2006, with  
 16 shall-be-3-one-year-terms, 3-two-year-terms, and 3-three-year  
 17 terms, all terms to continue until a successor is appointed  
 18 and qualified. The--length--of--the--terms--of--the--original  
 19 members--shall--be--drawn--by--lot--of--the--first--meeting--held--by  
 20 the--Commission.---The--members--first--appointed--under--this  
 21 amendatory Act of 1984 shall serve for a--term--of--3--years.  
 22 Thereafter all terms shall be for 3 years, with each member  
 23 serving no more than 2 consecutive terms.

24 Vacancies in the membership are to be filled in the same  
 25 manner as original appointments. Appointments to fill  
 26 vacancies occurring before the expiration of a term are for  
 27 the remainder of the unexpired term. A member of the  
 28 Commission shall serve for a term ending on June 30 and until  
 29 his successor is appointed and qualified.

30 (c) The Governor shall appoint one of the members of the  
 31 Commission to serve as chairman. The Commission shall  
 32 annually elect a--Chairman--and any other officers it deems  
 33 necessary.

34 The Commission shall meet at least once every 3 months

1 with the times and places of meetings determined by the  
2 Chairman. Additional meetings may be called by the Chairman  
3 upon written notice 7 days before the meeting or by written  
4 petition of 5 members to the Chairman. Four ~~Six~~ members of  
5 the Commission constitute a quorum.

6 (d) Members of the Commission are not entitled to  
7 compensation but shall receive reimbursement for actual  
8 expenses incurred in the performance of their duties. A  
9 member of the Commission who experiences a significant  
10 financial hardship due to the loss of income on days of  
11 attendance at meetings or while otherwise engaged in the  
12 business of the Commission may be paid a hardship allowance,  
13 as determined by and subject to the approval of the  
14 Governor's Travel Control Board.

15 (Source: P.A. 83-1538.)

16 (20 ILCS 3955/5) (from Ch. 91 1/2, par. 705)

17 Sec. 5. (a) The Commission shall establish throughout  
18 the State such regions as it considers appropriate to  
19 effectuate the purposes of the Authority under this Act,  
20 taking into account the requirements of State and federal  
21 statutes; population; civic, health and social service  
22 boundaries; and other pertinent factors.

23 (b) The Commission shall act through its divisions as  
24 provided in this Act.

25 (c) The Commission shall establish general policy  
26 guidelines for the operation of the Legal Advocacy Service,  
27 Authority and State Guardian in furtherance of this Act. Any  
28 action taken by a regional authority is subject to the review  
29 and approval of the Commission. The Commission may  
30 disapprove any action of a regional authority, in which case  
31 the regional authority shall cease such action.

32 (d) The Commission shall have a Director, who shall be  
33 appointed by the Governor. The salary and duties of the

1 Director shall be fixed by the Commission. The Commission  
2 shall hire a-Direeter-and staff to carry out the powers and  
3 duties of the Commission and its divisions pursuant to this  
4 Act and the rules and regulations promulgated by the  
5 Commission. All staff other than the Director shall be  
6 subject to the Personnel Code.

7 (e) The Commission shall review and evaluate the  
8 operations of the divisions.

9 (f) The Commission shall operate subject to the  
10 provisions of The Illinois Purchasing Act.

11 (g) The Commission shall prepare its budget.

12 (h) The Commission shall prepare an annual report on its  
13 operations and submit the report to the Governor and the  
14 General Assembly.

15 The requirement for reporting to the General Assembly  
16 shall be satisfied by filing copies of the report with the  
17 Speaker, the Minority Leader and the Clerk of the House of  
18 Representatives and the President, the Minority Leader and  
19 the Secretary of the Senate and the Legislative Research  
20 Unit, as required by Section 3.1 of "An Act to revise the law  
21 in relation to the General Assembly", approved February 25,  
22 1874, and filing such additional copies with the State  
23 Government Report Distribution Center for the General  
24 Assembly as is required under paragraph (t) of Section 7 of  
25 the State Library Act.

26 (i) The Commission shall establish rules and regulations  
27 for the conduct of the work of its divisions, including rules  
28 and regulations for the Legal Advocacy Service and the State  
29 Guardian in evaluating an eligible person's or ward's  
30 financial resources for the purpose of determining whether  
31 the eligible person or ward has the ability to pay for legal  
32 or guardianship services received. The determination of the  
33 eligible person's financial ability to pay for legal services  
34 shall be based upon the number of dependents in the eligible



1 person's family unit and the income, liquid assets and  
2 necessary expenses, as prescribed by rule of the Commission  
3 of: (1) the eligible person; (2) the eligible person's  
4 spouse; and (3) the parents of minor eligible persons. The  
5 determination of a ward's ability to pay for guardianship  
6 services shall be based upon the ward's estate. An eligible  
7 person or ward found to have sufficient financial resources  
8 shall be required to pay the Commission in accordance with  
9 standards established by the Commission. No fees may be  
10 charged for legal services given unless the eligible person  
11 is given notice at the start of such services that such fees  
12 might be charged. No fees may be charged for guardianship  
13 services given unless the ward is given notice of the request  
14 for fees filed with the probate court and the court approves  
15 the amount of fees to be assessed. All fees collected shall  
16 be deposited with the State Treasurer and placed in the  
17 Guardianship and Advocacy Fund. The Commission shall  
18 establish rules and regulations regarding the procedures of  
19 appeal for clients prior to termination or suspension of  
20 legal services. Such rules and regulations shall include,  
21 but not be limited to, client notification procedures prior  
22 to the actual termination, the scope of issues subject to  
23 appeal, and procedures specifying when a final administrative  
24 decision is made.

25 (j) The Commission shall take such actions as it deems  
26 necessary and appropriate to receive private, federal and  
27 other public funds to help support the divisions and to  
28 safeguard the rights of eligible persons. Private funds and  
29 property may be accepted, held, maintained, administered and  
30 disposed of by the Commission, as trustee, for such purposes  
31 for the benefit of the People of the State of Illinois  
32 pursuant to the terms of the instrument granting the funds or  
33 property to the Commission.

34 (k) The Commission may expend funds under the State's

1 plan to protect and advocate the rights of persons with a  
 2 developmental disability established under the federal  
 3 Developmental Disabilities Services and Facilities  
 4 Construction Act (Public Law 94-103, Title II). If the  
 5 Governor designates the Commission to be the organization or  
 6 agency to provide the services called for in the State plan,  
 7 the Commission shall make these protection and advocacy  
 8 services available to persons with a developmental disability  
 9 by referral or by contracting for these services to the  
 10 extent practicable. If the Commission is unable to so make  
 11 available such protection and advocacy services, it shall  
 12 provide them through persons in its own employ.

13 (1) The Commission shall, to the extent funds are  
 14 available, monitor issues concerning the rights of eligible  
 15 persons and the care and treatment provided to those persons,  
 16 including but not limited to the incidence of abuse or  
 17 neglect of eligible persons. For purposes of that monitoring  
 18 the Commission shall have access to reports of suspected  
 19 abuse or neglect and information regarding the disposition of  
 20 such reports, subject to the provisions of the Mental Health  
 21 and Developmental Disabilities Confidentiality Act.

22 (Source: P.A. 88-380.)

23 Section 20-3960. The Illinois Health Facilities Planning  
 24 Act is amended by changing Section 4 as follows:

25 (20 ILCS 3960/4) (from Ch. 111 1/2, par. 1154)

26 (Section scheduled to be repealed on July 1, 2003)

27 Sec. 4. Health Facilities Planning Board; membership;  
 28 appointment; terms; compensation; quorum. There is created  
 29 the Health Facilities Planning Board, which shall perform the  
 30 such functions as-hereinafter described in this Act.

31 Notwithstanding any provision of this Section to the  
 32 contrary, the term of office of each member of the State

1 Board is abolished on the effective date of this amendatory  
2 Act of the 93rd General Assembly, but all incumbent members  
3 shall continue to exercise all of the powers and be subject  
4 to all of the duties of members of the State Board until all  
5 new members of the 9-member State Board authorized under this  
6 amendatory Act of the 93rd General Assembly are appointed and  
7 take office. Beginning on the effective date of this  
8 amendatory Act of the 93rd General Assembly, the State Board  
9 shall consist of 9 voting members. ~~The State Board shall~~  
10 ~~consist of 15 voting members, including:~~ ~~8 consumer members;~~  
11 ~~one member representing the commercial health insurance~~  
12 ~~industry in Illinois;~~ ~~one member representing hospitals in~~  
13 ~~Illinois;~~ ~~one member who is actively engaged in the field of~~  
14 ~~hospital management;~~ ~~one member who is a professional nurse~~  
15 ~~registered in Illinois;~~ ~~one member who is a physician in~~  
16 ~~active private practice licensed in Illinois to practice~~  
17 ~~medicine in all of its branches;~~ ~~one member who is actively~~  
18 ~~engaged in the field of skilled nursing or intermediate care~~  
19 ~~facility management; and one member who is actively engaged~~  
20 ~~in the administration of an ambulatory surgical treatment~~  
21 ~~center licensed under the Ambulatory Surgical Treatment~~  
22 ~~Center Act.~~

23       The State Board shall be appointed by the Governor, with  
24 the advice and consent of the Senate. ~~In making the~~  
25 ~~appointments, the Governor shall give consideration to~~  
26 ~~recommendations made by (1) the professional organizations~~  
27 ~~concerned with hospital management for the hospital~~  
28 ~~management appointment, (2) professional organizations~~  
29 ~~concerned with long term care facility management for the~~  
30 ~~long term care facility management appointment, (3)~~  
31 ~~professional medical organizations for the physician~~  
32 ~~appointment, (4) professional nursing organizations for the~~  
33 ~~nurse appointment, and (5) professional organizations~~  
34 ~~concerned with ambulatory surgical treatment centers for the~~

1 ambulatory--surgical--treatment-center-appointment, and shall  
2 appoint--as--consumer--members--individuals--familiar--with  
3 community--health--needs-but-whose-interest-in-the-operation,  
4 construction-or-utilization-of--health--care--facilities--are  
5 derived--from--factors--other--than--those--related--to--his  
6 profession, business, or economic gain, and who represent, so  
7 far-as-possible, different geographic--areas--of--the--State.  
8 Not more than 5 of 8 of the appointments shall be of the same  
9 political party. No person shall be appointed as a State  
10 Board member if that person has served, after the effective  
11 date of this amendatory Act of the 93rd General Assembly, 2  
12 3-year terms as a State Board member, except for ex-officio  
13 non-voting members.

14 The Secretary of Human Services, the Director of Public  
15 Aid, and the Director of Public Health, or their designated  
16 representatives, shall serve as ex-officio, non-voting  
17 members of the State Board.

18 Of those members initially appointed by the Governor  
19 under this amendatory Act of the 93rd General Assembly, 3  
20 shall serve for terms ending July 1, 2004, 3 shall serve for  
21 terms ending July 1, 2005, and 3 shall serve for terms ending  
22 July 1, 2006. Thereafter, as-voting-members, each appointed  
23 member shall hold office for a term of 3 years, provided,  
24 that any member appointed to fill a vacancy occurring prior  
25 to the expiration of the term for which his predecessor was  
26 appointed shall be appointed for the remainder of such term  
27 and the term of office of each successor shall commence on  
28 July 1 of the year in which his predecessor's term expires.  
29 In-making-original--appointments--to--the--State--Board, the  
30 Governor--shall--appoint--5-members-for-a-term-of-one-year, 5  
31 for-a-term-of-2-years, and-3-for-a-term-of-3-years, and--each  
32 of-these-terms-of-office-shall-commence-on-July-1, 1974.--The  
33 initial--term--of-office-for-the-members-appointed-under-this  
34 amendatory-Act-of-1996-shall-begin-on-July-1, 1996-and--shall

1 last--for--2--years,--and--each--subsequent--appointment--shall--be  
2 for--a--term--of--3--years. Each member shall hold office until  
3 his successor is appointed and qualified.

4 State Board members, while serving on business of the  
5 State Board, shall receive actual and necessary travel and  
6 subsistence expenses while so serving away from their places  
7 of residence. A member of the State Board who experiences a  
8 significant financial hardship due to the loss of income on  
9 days of attendance at meetings or while otherwise engaged in  
10 the business of the State Board may be paid a hardship  
11 allowance, as determined by and subject to the approval of  
12 the Governor's Travel Control Board. In--addition,--while  
13 serving--on--business--of--the--State--Board,--each--member--shall  
14 receive--compensation--of--\$150--per--day,--except--that--such  
15 compensation--shall--not--exceed--\$7,500--in--any--one--year--for--any  
16 member.

17 The Governor shall designate one of the members to serve  
18 as Chairman and The--State--Board--shall--provide--for--its--own  
19 organization--and--procedures,--including--the--selection--of--a  
20 Chairman--and--such--other--officers--as--deemed--necessary.---The  
21 Director,--with--concurrence--of--the--State--Board, shall name as  
22 full-time Executive Secretary of the State Board, a person  
23 qualified in health care facility planning and in  
24 administration. The Agency shall provide administrative and  
25 staff support for the State Board. The State Board shall  
26 advise the Director of its budgetary and staff needs and  
27 consult with the Director on annual budget preparation.

28 The State Board shall meet at least once each quarter, or  
29 as often as the Chairman of the State Board deems necessary,  
30 or upon the request of a majority of the members.

31 Five Eight members of the State Board shall constitute a  
32 quorum. The affirmative vote of 5 of 8 of the members of the  
33 State Board shall be necessary for any action requiring a  
34 vote to be taken by the State Board. A vacancy in the

1 membership of the State Board shall not impair the right of a  
2 quorum to exercise all the rights and perform all the duties  
3 of the State Board as provided by this Act.

4 A State Board member shall disqualify himself or herself  
5 from the consideration of any application for a permit or  
6 exemption in which the State Board member or the State Board  
7 member's spouse, parent, or child (i) has an economic  
8 interest in the matter or (ii) is employed by, serves as a  
9 consultant for, or is a member of the governing board of the  
10 applicant or a party opposing the application.

11 (Source: P.A. 90-14, eff. 7-1-97; 91-782, eff. 6-9-00.)

12 (20 ILCS 3960/19.6 rep.)

13 Section 20-3960.1. The Illinois Health Facilities  
14 Planning Act is amended by repealing Section 19.6.

15 Section 20-4010. The Illinois Council on Developmental  
16 Disabilities Law is amended by changing Sections 2003, 2004,  
17 and 2004.5 as follows:

18 (20 ILCS 4010/2003) (from Ch. 91 1/2, par. 1953)

19 Sec. 2003. Council. The Illinois Council on  
20 Developmental Disabilities is hereby created as an executive  
21 agency of State government. The Council shall be composed of  
22 29 members appointed as provided in Section 2004.5, governed  
23 by a chairperson, and headed by a director.

24 The functions of the Council shall be as prescribed in  
25 Chapter 75 of Title 42 of the United States Code (42 U.S.C.  
26 6000, et seq.), as now or hereafter amended, and in Section  
27 2006 of this Article.

28 The Council shall receive and disburse funds authorized  
29 under Chapter 75 of Title 42 of the United States Code (42  
30 U.S.C. 6000, et seq.), as now or hereafter amended.

31 (Source: P.A. 91-798, eff. 7-9-00.)

1 (20 ILCS 4010/2004) (from Ch. 91 1/2, par. 1954)

2 Sec. 2004. Council membership. Council membership shall  
3 be as provided in Section 2004.5.

4 (a) -- The council shall be composed of 38 voting members,  
5 27 of whom shall be appointed by the Governor from residents  
6 of the State so as to ensure that the membership reasonably  
7 represents consumers of services to persons with  
8 developmental disabilities.

9 (b) -- Eleven voting members shall be the Directors of  
10 Public Aid, Public Health, Aging, Children and Family  
11 Services, the Guardianship and Advocacy Commission, the State  
12 protection and advocacy agency, the State Board of Education,  
13 the Division of Specialized Care for Children of the  
14 University of Illinois, and the State University Affiliated  
15 Program, or their designees, plus the Secretary of Human  
16 Services (or his or her designee) and one additional  
17 representative of the Department of Human Services designated  
18 by the Secretary.

19 (c) -- Nineteen voting members shall be persons with  
20 developmental disabilities, parents or guardians of such  
21 persons, or immediate relatives or guardians of persons with  
22 mentally impairing developmental disabilities. None of these  
23 members shall be employees of a State agency which receives  
24 funds or provides services under the federal Developmental  
25 Disabilities Assistance and Bill of Rights Act Amendments of  
26 1987, managing employees of any other entity which services  
27 funds or provides services under the federal Developmental  
28 Disabilities Assistance and Bill of Rights Act Amendments of  
29 1987, or persons with an ownership or control interest in  
30 such an entity. Of these members:

31 (1) -- At least 6 shall be persons with developmental  
32 disabilities and at least 6 shall be immediate relatives  
33 or guardians of persons with mentally impairing  
34 developmental disabilities; and

1           (2)--One member shall be an immediate relative or  
2 guardian of an institutionalized or previously  
3 institutionalized person with a developmental disability.

4           (d)--Eight voting members shall be representatives of  
5 local agencies, nongovernmental agencies and groups concerned  
6 with services to persons with developmental disabilities.

7           (e)--The Governor shall consider nominations made by  
8 advocacy and community-based organizations.

9           (f)--Of the initial members appointed by the Governor, 8  
10 shall be appointed for terms of one year, 9 shall be  
11 appointed for terms of 2 years, and 9 shall be appointed for  
12 terms of 3 years. Thereafter, all members shall be appointed  
13 for terms of 3 years. No member shall serve more than 2  
14 successive terms.

15           (g)--Individual terms of office shall be chosen by lot at  
16 the initial meeting of the council.

17           (h)--Vacancies in the membership shall be filled in the  
18 same manner as initial appointments. Appointments to fill  
19 vacancies occurring before the expiration of a term shall be  
20 for the remainder of the unexpired term.

21           (i)--Members shall not receive compensation for their  
22 services, but shall be reimbursed for their actual expenses  
23 plus up to \$50 a day for any loss of wages incurred in the  
24 performance of their duties.

25           (j)--Total membership consists of the number of voting  
26 members, as defined in this Section, excluding any vacant  
27 positions. A quorum shall consist of a simple majority of  
28 total membership and shall be sufficient to constitute the  
29 transaction of business of the council unless stipulated  
30 otherwise in the bylaws of the council.

31           (k)--The council shall meet at least quarterly.

32           (l)--The Director of the Bureau of the Budget, or his or  
33 her designee, shall serve as a nonvoting member of the  
34 council.



1 (Source: P.A. 89-507, eff. 7-1-97.)

2 (20 ILCS 4010/2004.5)

3 Sec. 2004.5. Council membership. The General Assembly  
4 intends that the reduction in the membership of the Council  
5 shall occur through attrition between the effective date of  
6 this amendatory Act of the 91st General Assembly and January  
7 1, 2001. In the event that the terms of 10 voting members  
8 have not expired by January 1, 2001, members of the Council  
9 serving on that date shall continue to serve until their  
10 terms expire.

11 (a) The membership of the Council must reasonably  
12 represent the diversity of this State. Not less than 60% of  
13 the Council's membership must be individuals with  
14 developmental disabilities, parents or guardians of children  
15 with developmental disabilities, or immediate relatives or  
16 guardians of adults with developmental disabilities who  
17 cannot advocate for themselves.

18 The Council must also include representatives of State  
19 agencies that administer moneys under federal laws that  
20 relate to individuals with developmental disabilities; the  
21 State University Center for Excellence in Developmental  
22 Disabilities Education, Research, and Service; the State  
23 protection and advocacy system; and representatives of local  
24 and non-governmental agencies and private non-profit groups  
25 concerned with services for individuals with developmental  
26 disabilities. The members described in this paragraph must  
27 have sufficient authority to engage in policy-making,  
28 planning, and implementation on behalf of the department,  
29 agency, or program that they represent. Those members may  
30 not take part in any discussion of grants or contracts for  
31 which their departments, agencies, or programs are grantees,  
32 contractors, or applicants and must comply with any other  
33 relevant conflict of interest provisions in the Council's

1 policies or bylaws.

2 (b) Seventeen voting members, appointed by the Governor,  
3 must be persons with developmental disabilities, parents or  
4 guardians of persons with developmental disabilities, or  
5 immediate relatives or guardians of persons with  
6 mentally-impairing developmental disabilities. None of these  
7 members may be employees of a State agency that receives  
8 funds or provides services under the federal Developmental  
9 Disabilities Assistance and Bill of Rights Act of 1996 (42  
10 U.S.C. 6000 et seq.), as now or hereafter amended, managing  
11 employees of any other entity that receives moneys or  
12 provides services under the federal Developmental  
13 Disabilities Assistance and Bill of Rights Act of 1996 (42  
14 U.S.C. 6000 et seq.), as now or hereafter amended, or persons  
15 with an ownership interest in or a controlling interest in  
16 such an entity. Of the members appointed under this  
17 subsection (b):

18 (1) at least 6 must be persons with developmental  
19 disabilities;

20 (2) at least 6 must be parents, immediate  
21 relatives, or guardians of children and adults with  
22 developmental disabilities, including individuals with  
23 mentally-impairing developmental disabilities who cannot  
24 advocate for themselves; and

25 (3) 5 members must be a combination of persons  
26 described in paragraphs (1) and (2); at least one of whom  
27 must be (i) an immediate relative or guardian of an  
28 individual with a developmental disability who resides or  
29 who previously resided in an institution or (ii) an  
30 individual with a developmental disability who resides or  
31 who previously resided in an institution.

32 (c) Two voting members, appointed by the Governor, must  
33 be representatives of local and non-governmental agencies and  
34 private non-profit groups concerned with services for

1 individuals with developmental disabilities.

2 (d) Nine voting members shall be the Director of Public  
3 Aid, or his or her designee; the Director of Aging, or his or  
4 her designee; the Director of Children and Family Services,  
5 or his or her designee; a representative of the State Board  
6 of Education; a representative of the State protection and  
7 advocacy system; a representative of the State University  
8 Center for Excellence in Developmental Disabilities  
9 Education, Research, and Service; and one representative from  
10 each of the following offices within the Department of Human  
11 Services, designated by the Secretary of Human Services:  
12 ~~representatives of the Office of Developmental Disabilities,~~  
13 ~~and the Office of Community Health and Prevention of the~~  
14 ~~Department of Human Services~~ (as the State's lead agency for  
15 Title V of the Social Security Act, 42 U.S.C. 701 et seq.),  
16 ~~designated by the Secretary of Human Services;~~ and the Office  
17 of Rehabilitation Services (as the State's designated a  
18 ~~representative of the State~~ entity that administers federal  
19 moneys under the federal Rehabilitation Act).

20 (e) The Director of the Bureau of the Budget, or his or  
21 her designee, shall be a non-voting member of the Council.

22 (f) The Governor must provide for the timely rotation of  
23 members.

24 Appointments to the Council shall be for terms of 3  
25 years. Appointments to fill vacancies occurring before the  
26 expiration of a term shall be for the remainder of the term.  
27 Members shall serve until their successors are appointed.

28 The Council, at the discretion of the Governor, may  
29 coordinate and provide recommendations for new members to the  
30 Governor based upon their review of the Council's composition  
31 and on input received from other organizations and  
32 individuals representing persons with developmental  
33 disabilities, including the non-State agency members of the  
34 Council. The Council must, at least once each year, advise

1 the Governor on the Council's membership requirements and  
2 vacancies, including rotation requirements.

3 No member may serve for more than 2 successive terms.

4 (g) Members may not receive compensation for their  
5 services, but shall be reimbursed for their reasonable  
6 expenses ~~plus up to \$50 per day for any loss of wages~~  
7 incurred in the performance of their duties. A member of the  
8 Board who experiences a significant financial hardship due to  
9 the loss of income on days of attendance at meetings or while  
10 otherwise engaged in the business of the Council may be paid  
11 a hardship allowance, as determined by and subject to the  
12 approval of the Governor's Travel Control Board.

13 (h) The total membership of the Council consists of the  
14 number of voting members, as defined in this Section,  
15 excluding any vacant positions. A quorum is a simple  
16 majority of the total membership and is sufficient to  
17 constitute the transaction of the business of the Council  
18 unless otherwise stipulated in the bylaws of the Council.

19 (i) The Council must meet at least quarterly.

20 (Source: P.A. 91-798, eff. 7-9-00.)

21 Section 25-170. The Lobbyist Registration Act is amended  
22 by adding Section 3.1 as follows:

23 (25 ILCS 170/3.1 new)

24 Sec. 3.1. Prohibition on serving on boards and  
25 commissions. Notwithstanding any other law of this State, a  
26 person required to be registered under this Act may not serve  
27 on a board, commission, authority, or task force authorized  
28 or created by State law or by executive order of the  
29 Governor; except that this restriction does not apply to any  
30 of the following:

31 (1) a registered lobbyist serving in an elective  
32 public office, whether elected or appointed to fill a

1 vacancy;

2 (2) a registered lobbyist serving on a State  
3 advisory body that makes nonbinding recommendations to an  
4 agency of State government but does not make binding  
5 recommendations or determinations or take any other  
6 substantive action; and

7 (3) a registered lobbyist serving on a board,  
8 council, commission, authority, task force, or other  
9 equivalent entity that makes nonbinding recommendations  
10 to a county, municipality, school district, or community  
11 college district but does not make binding  
12 recommendations or determinations or take any other  
13 substantive action. This item (3) does not include any  
14 special district or other limited purpose unit of local  
15 government, except those specifically enumerated in this  
16 item (3).

17 Section 30-105. The State Finance Act is amended by  
18 changing Sections 6z-50 and 12-1 and adding Section 14c as  
19 follows:

20 (30 ILCS 105/6z-50)

21 Sec. 6z-50. Brain Injury and Spinal Cord Injury Trust  
22 Fund. The Brain Injury and Spinal Cord Injury Trust Fund is  
23 created as a special fund in the State treasury. Subject to  
24 appropriations, the Department of Human Services shall use  
25 moneys in the Fund to fund community-based rehabilitation  
26 services programs in accordance with priorities and criteria  
27 established by the Brain and Advisory-Council-on Spinal Cord  
28 Injury Advisory Council and-Head-Injuries.

29 (Source: P.A. 91-737, eff. 6-2-00.)

30 (30 ILCS 105/12-1) (from Ch. 127, par. 148-1)

31 Sec. 12-1. Travel control boards.

1 (a) The following travel control boards are created with  
2 the members and jurisdiction set forth below:

3 (1) A Travel Control Board is created within the  
4 Office of the Attorney General consisting of the Attorney  
5 General as chairman and 2 members of his supervisory  
6 staff appointed by him. The board shall have  
7 jurisdiction over travel by employees of the office.

8 (2) A Travel Control Board is created within the  
9 Office of the State Comptroller consisting of the  
10 Comptroller as chairman and 2 members of his supervisory  
11 staff appointed by him. The board shall have  
12 jurisdiction over travel by employees of the office.

13 (3) The Higher Education Travel Control Board shall  
14 consist of 11 members, one to be appointed by each of the  
15 following: the Board of Trustees of the University of  
16 Illinois, the Board of Trustees of Southern Illinois  
17 University, the Board of Trustees of Chicago State  
18 University, the Board of Trustees of Eastern Illinois  
19 University, the Board of Trustees of Governors State  
20 University, the Board of Trustees of Illinois State  
21 University, the Board of Trustees of Northeastern  
22 Illinois University, the Board of Trustees of Northern  
23 Illinois University, the Board of Trustees of Western  
24 Illinois University, the Illinois Community College Board  
25 and the Illinois Board of Higher Education. Each member  
26 shall be an officer, member or employee of the board  
27 making the appointment, or of an institution governed or  
28 maintained by such board. The board shall have  
29 jurisdiction over travel by the Board of Higher  
30 Education, the Board of Trustees of the University of  
31 Illinois, the Board of Trustees of Southern Illinois  
32 University, the Board of Trustees of Chicago State  
33 University, the Board of Trustees of Eastern Illinois  
34 University, the Board of Trustees of Governors State

1 University, the Board of Trustees of Illinois State  
2 University, the Board of Trustees of Northeastern  
3 Illinois University, the Board of Trustees of Northern  
4 Illinois University, the Board of Trustees of Western  
5 Illinois University, the Illinois Community College  
6 Board, the State Community College of East St. Louis, the  
7 Illinois State Scholarship Commission, the State  
8 Universities Retirement System, the University Civil  
9 Service Merit Board, the Board of Trustees of the  
10 Illinois Mathematics and Science Academy and all  
11 employees of the named Boards, Commission and System and  
12 of the institutions governed or maintained by the named  
13 Boards. The Higher Education Travel Control Board shall  
14 select a chairman from among its members.

15 (4) The Legislative Travel Control Board shall  
16 consist of the following members serving ex-officio: The  
17 Auditor General as chairman, the President and the  
18 Minority Leader of the Senate and the Speaker and the  
19 Minority Leader of the House of Representatives. The  
20 board shall have jurisdiction over travel by employees  
21 of: the General Assembly, legislative boards and  
22 commissions, the Office of the Auditor General and all  
23 legislative agencies.

24 (5) A Travel Control Board is created within the  
25 Office of the Lieutenant Governor consisting of the  
26 Lieutenant Governor as chairman and 2 members of his  
27 supervisory staff appointed by him. The board shall have  
28 jurisdiction over travel by employees of the office. The  
29 Travel Control Board within the office of the Lieutenant  
30 Governor is subject to the provisions of Section 405-500  
31 of the Department of Central Management Services Law (20  
32 ILCS 405/405-500).

33 (6) A Travel Control Board is created within the  
34 Office of the Secretary of State consisting of the

1 Secretary of State as chairman, and 2 members of his  
2 supervisory staff appointed by him. The board shall have  
3 jurisdiction over travel by employees of the office.

4 (7) A Travel Control Board is created within the  
5 Judicial Branch consisting of a chairman and 2 members  
6 appointed by the Supreme Court. The board shall have  
7 jurisdiction over travel by personnel of the Judicial  
8 Branch, except the circuit courts and the judges.

9 (8) A Travel Control Board is created under the  
10 State Board of Education, consisting of the State  
11 Superintendent of Education as chairman, and 2 members of  
12 his supervisory staff appointed by the State Board of  
13 Education. The Board shall have jurisdiction over travel  
14 by employees of the State Board of Education.

15 (9) A Travel Control Board is created within the  
16 Office of the State Treasurer, consisting of the State  
17 Treasurer as chairman and 2 members of his supervisory  
18 staff appointed by him. The board shall have  
19 jurisdiction over travel by employees of the office.

20 (10) A Governor's Travel Control Board is created  
21 consisting of the Governor ex-officio as chairman, and 2  
22 members appointed by the Governor. The board shall have  
23 jurisdiction over travel by employees and officers of all  
24 State agencies as defined in the Illinois State Auditing  
25 Act, except for the following: judges, members of the  
26 General Assembly, elected constitutional officers of the  
27 State, the Auditor General, and personnel under the  
28 jurisdiction of another travel control board created by  
29 statute.

30 (a-5) The Commissioner of Banks and Real Estate, the  
31 Prisoner Review Board, and the State Fire Marshal shall  
32 submit to the Governor's Travel Control Board the quarterly  
33 reports required by regulation pertaining to their employees  
34 reimbursed for housing.



1 (b) Each travel control board created by this Section  
2 shall meet at the call of the chairman at least quarterly to  
3 review all vouchers, or a report thereof, for travel  
4 reimbursements involving an exception to the State Travel  
5 Regulations and Rates. Each travel control board shall  
6 prescribe the procedures for submission of an information  
7 copy of vouchers involving an exception to the general  
8 provisions established by the State Travel Regulations and  
9 Reimbursement Rates.

10 (c) Any chairman or member of a travel control board  
11 may, with the consent of the respective appointing official,  
12 designate a deputy to serve in his place at any or all  
13 meetings of the board. The designation shall be in writing  
14 and directed to the chairman of the board.

15 (d) No member of a travel control board may receive  
16 additional compensation for his service as a member.

17 (e) A report of the travel reimbursement claims reviewed  
18 by each travel control board shall be submitted to the  
19 Legislative Audit Commission at least once each quarter and  
20 that Commission shall comment on all such reports in its  
21 annual reports to the General Assembly.

22 (f) In addition to its other duties, the Governor's  
23 Travel Control Board shall have jurisdiction over all claims  
24 for hardship allowances authorized by law for members of  
25 boards and commissions who experience a significant financial  
26 hardship due to the loss of income on days of attendance at  
27 meetings or while otherwise engaged in the business of the  
28 board or commission. The Governor's Travel Control Board  
29 shall (i) determine the eligibility of each claimant, (ii)  
30 adopt procedures for handling claims, (iii) adopt rules  
31 governing the determination of eligibility and the payment of  
32 claim amounts and defining a significant change in income,  
33 and (iv) make available to the Office of the Governor for  
34 distribution to potential appointees material explaining the

1 hardship allowance and the procedures for requesting a  
2 determination of eligibility and filing a claim.

3 The hardship allowance shall consist of a daily amount to  
4 be established by the Governor's Travel Control Board, not to  
5 exceed \$100. A member of a board or commission who has been  
6 determined to be eligible shall receive the hardship  
7 allowance for each day on which he or she experiences a loss  
8 of income due to attendance at a meeting or otherwise  
9 engaging in the business of the board or commission.

10 A member or appointee may apply for a determination or  
11 redetermination of eligibility at any time. In determining  
12 eligibility, the Governor's Travel Control Board shall take  
13 into consideration the member's household income and the  
14 expected number of missed working days. A determination that  
15 a member is eligible shall continue in effect for the  
16 member's entire term, except that if the eligible member  
17 experiences a significant increase in household income, then  
18 (1) the member must so notify the Governor's Travel Control  
19 Board within 30 days and (2) the Board may reconsider and, if  
20 appropriate, terminate the member's eligibility.

21 (Source: P.A. 90-609, eff. 6-30-98; 91-239, eff. 1-1-00.)

22 (30 ILCS 105/14c new)

23 Sec. 14c. Voluntary refusal of compensation. Any State  
24 officer or employee, including without limitation any  
25 appointed member of a board or commission, may voluntarily  
26 refuse (i) all or any payment of the salary or other  
27 compensation prescribed by law for that office or employment,  
28 (ii) any increase in that salary or compensation that is  
29 authorized by law, or (iii) any reimbursement for expenses to  
30 which he or she is entitled by law.

31 Section 30-360. The Rural Bond Bank Act is amended by  
32 changing Sections 2-2 and 2-3 as follows:

(30 ILCS 360/2-2) (from Ch. 17, par. 7202-2)

Sec. 2-2. Bank membership.

(a) Until July 1, 2003 or when all of the new members to be initially appointed under this amendatory Act of the 93rd General Assembly have been appointed by the Governor, whichever occurs later, the Bank shall consist of a board of 9 commissioners, as follows:

(1) The Lieutenant Governor, who shall serve as chairman;

(2) The State Treasurer, who shall serve as vice chairman; and

(3) Seven public commissioners, who shall be residents of the State, appointed by the Governor for terms of 3 years. At least 3 of those 7 public commissioners shall be affiliated with a political party other than the one with which the Governor is affiliated.

The term of each appointed member of the Board who is in office on June 30, 2003 shall terminate at the close of business on that date or when all of the new members to be initially appointed under this amendatory Act of the 93rd General Assembly have been appointed by the Governor, whichever occurs later.

(a-5) Beginning on July 1, 2003 or when all of the new members to be initially appointed under this amendatory Act of the 93rd General Assembly have been appointed by the Governor, whichever occurs later, the Bank shall consist of a board of 7 commissioners, as follows:

(1) The Lieutenant Governor, who shall serve as chairman;

(2) The State Treasurer, who shall serve as vice chairman; and

(3) Five public commissioners, who shall be residents of the State, appointed by the Governor for terms of 3 years. No more than 3 of those public

1 commissioners may be affiliated with the same political  
2 party.

3 (a-10) Before entering upon their duties, all  
4 commissioners shall take and subscribe to an oath to perform  
5 the duties of office faithfully, impartially and justly to  
6 the best of their abilities. A record of these oaths shall  
7 be filed in the office of the Secretary of State.

8 (b) Each public commissioner shall hold office for the  
9 term of appointment and until a successor has been appointed  
10 and qualified. A public commissioner may be reappointed.  
11 Any vacancy occurring other than by the expiration of a term  
12 shall be filled by appointment for the unexpired term. The  
13 Governor may remove a public commissioner from office for  
14 cause after a public hearing. The Governor may suspend a  
15 commissioner pending the completion of this hearing.

16 (c) The Governor ~~commissioners~~ shall appoint an  
17 executive director, who shall also serve as both secretary  
18 and treasurer. The board of commissioners shall fix the  
19 duties of the executive director. The powers of the Bank are  
20 vested in the commissioners of the Bank in office from time  
21 to time. The Lieutenant Governor and the State Treasurer  
22 each may designate a representative to attend meetings of the  
23 commissioners and to cast those officers' votes in their  
24 absence.

25 Four ~~Five~~ commissioners of the Bank constitute a quorum  
26 at any meeting of the board of commissioners.  
27 Representatives of the Lieutenant Governor and State  
28 Treasurer who attend commissioner meetings and cast those  
29 officers' votes shall count towards a quorum. A commissioner  
30 may participate in a meeting by telephone rather than in  
31 person if the commissioner is unable, due to illness,  
32 weather, or other circumstances beyond his or her control, to  
33 attend the meeting in person and if the commissioner's  
34 participation is not necessary to establish a quorum. Action

1 may be taken and motions and resolutions adopted by the Bank  
 2 at any meeting by the affirmative vote of at least 5  
 3 commissioners. A vacancy in the office of commissioner does  
 4 not impair the right of a quorum of the commissioners to  
 5 exercise all the powers and perform all the duties of the  
 6 Bank.

7 (d) Before issuing any bonds or notes under this Act,  
 8 each public commissioner shall execute a surety bond in the  
 9 penal sum of \$25,000, and the executive director of the Bank  
 10 shall execute a surety bond in the penal sum of \$50,000. The  
 11 surety bonds shall be:

- 12 (1) Conditioned upon faithful performance of the
- 13 duties of the office of the commissioner or executive
- 14 director;
- 15 (2) Executed by a surety company authorized to
- 16 transact business in the State as surety;
- 17 (3) Approved by the Attorney General; and
- 18 (4) Filed in the office of the Secretary of State.

19 At all times after the Bank issues any bonds or notes,  
 20 each commissioner and the executive director shall maintain  
 21 the surety bonds in full force and effect. The Bank shall  
 22 bear all the costs of these surety bonds.

23 (Source: P.A. 88-471; 89-211, eff. 8-3-95.)

24 (30 ILCS 360/2-3) (from Ch. 17, par. 7202-3)

25 Sec. 2-3. Compensation. Each public commissioner shall  
 26 be reimbursed for his actual expenses incurred in traveling  
 27 to and from meetings of the board. All commissioners shall  
 28 be reimbursed for their reasonable expenses incurred in  
 29 carrying out their duties under this Act. A commissioner who  
 30 experiences a significant financial hardship due to the loss  
 31 of income on days of attendance at meetings or while  
 32 otherwise engaged in the business of the board may be paid a  
 33 hardship allowance, as determined by and subject to the

1 approval of the Governor's Travel Control Board.

2 Notwithstanding any other law, no officer or employee of  
3 the State may be deemed to have forfeited or may forfeit  
4 their office or employment or any benefits or emoluments of  
5 their office or employment due to accepting the office of  
6 commissioner of the Bank or performing services in that  
7 office.

8 The board of commissioners shall fix the compensation of  
9 the executive director.

10 (Source: P.A. 86-927.)

11 Section 30-500. The Illinois Procurement Code is amended  
12 by changing Sections 5-5 and 50-13 as follows:

13 (30 ILCS 500/5-5)

14 Sec. 5-5. Procurement Policy Board.

15 (a) Creation. There is created a Procurement Policy  
16 Board.

17 (b) Authority and duties. The Board shall have the  
18 authority and responsibility to review, comment upon, and  
19 recommend, consistent with this Code, rules and practices  
20 governing the procurement, management, control, and disposal  
21 of supplies, services, professional or artistic services,  
22 construction, and real property and capital improvement  
23 leases procured by the State. Upon a three-fifths vote of  
24 its members, the Board may review a contract. Upon a  
25 three-fifths vote of its members, the Board may propose  
26 procurement rules for consideration by chief procurement  
27 officers. These proposals shall be published in each volume  
28 of the Procurement Bulletin. Except as otherwise provided by  
29 law, the Board shall act upon the vote of a majority of its  
30 members who have been appointed and are serving.

31 (c) Members. The Board shall consist of 5 members  
32 appointed one each by the 4 legislative leaders and the

1 Governor. The member appointed by the Governor shall be the  
2 Chairman of the Board. Each member shall have demonstrated  
3 sufficient business or professional experience in the area of  
4 procurement to perform the functions of the Board. No member  
5 may be a member of the General Assembly.

6 (d) Terms. Of the initial appointees, the Governor  
7 shall designate one member, as Chairman, to serve a one-year  
8 term, the President of the Senate and the Speaker of the  
9 House shall each appoint one member to serve 3-year terms,  
10 and the Minority Leader of the House and the Minority Leader  
11 of the Senate shall each appoint one member to serve 2-year  
12 terms. Subsequent terms shall be 4 years. Members may be  
13 reappointed for succeeding terms.

14 Notwithstanding any other provision of this Section, the  
15 term of each member of the Board who is in office on June 30,  
16 2003 shall terminate at the close of business on that date.  
17 As soon as possible, the appointing authorities shall appoint  
18 persons to fill the vacancies created by this amendatory Act.

19 (e) Reimbursement. Members shall receive no  
20 compensation but shall be reimbursed for any expenses  
21 reasonably incurred in the performance of their duties. A  
22 member of the Board who experiences a significant financial  
23 hardship due to the loss of income on days of attendance at  
24 meetings or while otherwise engaged in the business of the  
25 Board may be paid a hardship allowance, as determined by and  
26 subject to the approval of the Governor's Travel Control  
27 Board.

28 (f) Staff support. Upon a three-fifths vote of its  
29 members, the Board may employ an executive director. Subject  
30 to appropriation, the Board also may have up to 3 staff  
31 persons. Other support services shall be provided by the  
32 chief procurement officers.

33 (g) Meetings. Meetings of the Board may be conducted  
34 telephonically, electronically, or through the use of other

1 telecommunications. Written minutes of such meetings shall  
2 be created and available for public inspection and copying.  
3 (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

4 (30 ILCS 500/50-13)

5 Sec. 50-13. Conflicts of interest.

6 (a) Prohibition. It is unlawful for any person holding  
7 an elective office in this State, holding a seat in the  
8 General Assembly, or appointed to or employed in any of the  
9 offices or agencies of State government and who receives  
10 compensation for such employment in excess of 60% of the  
11 salary of the Governor of the State of Illinois, or who is an  
12 officer or employee of the Capital Development Board or the  
13 Illinois Toll Highway Authority, or who is the spouse or  
14 minor child of any such person to have or acquire any  
15 contract, or any direct pecuniary interest in any contract  
16 therein, whether for stationery, printing, paper, or any  
17 services, materials, or supplies, that will be wholly or  
18 partially satisfied by the payment of funds appropriated by  
19 the General Assembly of the State of Illinois or in any  
20 contract of the Capital Development Board or the Illinois  
21 Toll Highway Authority.

22 (b) Interests. It is unlawful for any firm,  
23 partnership, association, or corporation, in which any person  
24 listed in subsection (a) is entitled to receive (i) more than  
25 7 1/2% of the total distributable income or (ii) an amount in  
26 excess of the salary of the Governor, to have or acquire any  
27 such contract or direct pecuniary interest therein.

28 (c) Combined interests. It is unlawful for any firm,  
29 partnership, association, or corporation, in which any person  
30 listed in subsection (a) together with his or her spouse or  
31 minor children is entitled to receive (i) more than 15%, in  
32 the aggregate, of the total distributable income or (ii) an  
33 amount in excess of 2 times the salary of the Governor, to



1 have or acquire any such contract or direct pecuniary  
2 interest therein.

3 (c-5) Appointees. In addition to subsection (a), it is  
4 unlawful for an appointed member of a board, commission,  
5 authority, or task force authorized or created by State law,  
6 the spouse of the appointee, or an immediate family member of  
7 the appointee living in the appointee's residence to have or  
8 acquire a contract or have or acquire a direct pecuniary  
9 interest in a contract with the State that relates to the  
10 board, commission, authority, or task force of which he or  
11 she is an appointee during and for one year after the  
12 conclusion of the person's term of office.

13 (c-10) Firms of appointees. It is unlawful for a  
14 partnership, association, or corporation in which a person  
15 subject to subsection (c-5) has majority ownership or  
16 managerial responsibility to have or acquire a contract or a  
17 direct pecuniary interest in a contract prohibited by  
18 subsection (c-5) during and for one year after the conclusion  
19 of the person's term of office.

20 (d) Securities. Nothing in this Section invalidates the  
21 provisions of any bond or other security previously offered  
22 or to be offered for sale or sold by or for the State of  
23 Illinois.

24 (e) Prior interests. This Section does not affect the  
25 validity of any contract made between the State and an  
26 officer or employee of the State or member of the General  
27 Assembly, his or her spouse, minor child, or other immediate  
28 family member living in his or her residence or any  
29 combination of those persons if that contract was in  
30 existence before his or her election or employment as an  
31 officer, member, or employee. The contract is voidable,  
32 however, if it cannot be completed within 365 days after the  
33 officer, member, or employee takes office or is employed.

34 (f) Exceptions.

1 (1) Public aid payments. This Section does not  
2 apply to payments made for a public aid recipient.

3 (2) Teaching. This Section does not apply to a  
4 contract for personal services as a teacher or school  
5 administrator between a member of the General Assembly or  
6 his or her spouse, or a State officer or employee or his  
7 or her spouse, and any school district, public community  
8 college district, the University of Illinois, Southern  
9 Illinois University, Illinois State University, Eastern  
10 Illinois University, Northern Illinois University,  
11 Western Illinois University, Chicago State University,  
12 Governor State University, or Northeastern Illinois  
13 University.

14 (3) Ministerial duties. This Section does not  
15 apply to a contract for personal services of a wholly  
16 ministerial character, including but not limited to  
17 services as a laborer, clerk, typist, stenographer, page,  
18 bookkeeper, receptionist, or telephone switchboard  
19 operator, made by a spouse or minor child of an elective  
20 or appointive State officer or employee or of a member of  
21 the General Assembly.

22 (4) Child and family services. This Section does  
23 not apply to payments made to a member of the General  
24 Assembly, a State officer or employee, his or her spouse  
25 or minor child acting as a foster parent, homemaker,  
26 advocate, or volunteer for or in behalf of a child or  
27 family served by the Department of Children and Family  
28 Services.

29 (5) Licensed professionals. Contracts with licensed  
30 professionals, provided they are competitively bid or  
31 part of a reimbursement program for specific, customary  
32 goods and services through the Department of Children and  
33 Family Services, the Department of Human Services, the  
34 Department of Public Aid, the Department of Public

1 Health, or the Department on Aging.

2 (g) Penalty. A person convicted of a violation of this  
3 Section is guilty of a business offense and shall be fined  
4 not less than \$1,000 nor more than \$5,000.

5 (Source: P.A. 90-572, eff. 2-6-98.)

6 Section 35-200. The Property Tax Code is amended by  
7 changing Sections 7-5, 7-10, and 7-15 as follows:

8 (35 ILCS 200/7-5)

9 Sec. 7-5. Creation of Property Tax Appeal Board. The  
10 Property Tax Appeal Board shall consist of 5 members  
11 appointed by the Governor, with the advice and consent of the  
12 Senate. The Governor, with the advice and consent of the  
13 Senate, shall designate one of the members to serve as  
14 Chairman. The Property Tax Appeal Board shall be totally  
15 independent of the Department. A vacancy on the Board shall  
16 be filled in the same manner as original appointments are  
17 made.

18 (Source: P.A. 87-1189; 88-455.)

19 (35 ILCS 200/7-10)

20 Sec. 7-10. Selection of members; expenses. The members  
21 of the Property Tax Appeal Board shall be qualified by virtue  
22 of 5 years experience and training in the field of public  
23 finance administration, at least 2 years of which shall be in  
24 the field of property appraisal and property tax  
25 administration. No more than 3 members of the Board may be  
26 members of the same political party.

27 The members of the Property Tax Appeal Board shall  
28 receive an annual salary of \$39,000 for their service on the  
29 Board, and they may be reimbursed for their necessary  
30 expenses incurred in the course of their duties. Beginning  
31 July 1, 2004, these salaries may be adjusted by the

1 Compensation Review Board. ~~The Chairman of the Property Tax~~  
 2 ~~Appeal Board shall receive \$28,000 per year, or an amount set~~  
 3 ~~by the Compensation Review Board, whichever is greater; and~~  
 4 ~~each other member of the Board shall receive \$22,500 per~~  
 5 ~~year, or an amount set by the Compensation Review Board,~~  
 6 ~~whichever is greater.~~

7 Notwithstanding any other provision of this Section, the  
 8 term of each member of the Board who was appointed by the  
 9 Governor and is in office on June 30, 2003 shall terminate at  
 10 the close of business on that date or when all of the  
 11 successor members to be appointed pursuant to this amendatory  
 12 Act of the 93rd General Assembly have been appointed by the  
 13 Governor, whichever occurs later. As soon as possible, the  
 14 Governor shall appoint persons to fill the vacancies created  
 15 by this amendatory Act.

16 Of the 5 members of the Board first appointed under this  
 17 amendatory Act of the 93rd General Assembly, the terms of 2  
 18 members shall expire on the third Monday in January, 2009  
 19 1995; the term of 2 members shall expire on the third Monday  
 20 in January, 2007 1997; and the term of one member shall  
 21 expire on the third Monday in January, 2005 1999.  
 22 Thereafter, members shall be appointed in each odd-numbered  
 23 year for a 6 year term commencing on the third Monday in  
 24 January of such year. Each member shall serve until a  
 25 successor is appointed and qualified.

26 (Source: P.A. 84-1240; 88-455.)

27 (35 ILCS 200/7-15)

28 Sec. 7-15. Employees. The Board shall have an Executive  
 29 Director, who shall be appointed by the Governor. The salary  
 30 and duties of the Executive Director shall be fixed by the  
 31 Board.

32 The Property Tax Appeal Board shall choose a person to  
 33 serve as clerk of the Board.

1 (Source: P.A. 80-601; 88-455.)

2 Section 40-5. The Illinois Pension Code is amended by  
3 changing Sections 22A-109 and 22A-110 as follows:

4 (40 ILCS 5/22A-109) (from Ch. 108 1/2, par. 22A-109)

5 Sec. 22A-109. Membership of board. The board shall  
6 consist of the following members: (a) ex-officio members  
7 consisting of the State Treasurer and the Chairman of the  
8 board of trustees of each pension fund or retirement system,  
9 other than pension funds covered by Articles 3 and 4 of this  
10 Code, whose investment functions have been transferred to the  
11 jurisdiction of this board; and (b) 5 members appointed by  
12 the Governor with the approval of the Senate, one of whom  
13 shall be a senior citizen age 60 or over. The appointive  
14 members shall serve for terms of 4 years.

15 Notwithstanding any other provision of this Section, the  
16 term of each member of the board who was appointed by the  
17 Governor and is in office on June 30, 2003 shall terminate at  
18 the close of business on that date or when all of the  
19 successor members to be appointed pursuant to this amendatory  
20 Act of the 93rd General Assembly have been appointed by the  
21 Governor, whichever occurs later. As soon as possible, the  
22 Governor shall appoint persons to fill the vacancies created  
23 by this amendatory Act. ~~except that~~ The terms of office of  
24 the ~~original~~-appointive members first appointed under this  
25 amendatory Act of the 93rd General Assembly shall be as  
26 follows: One member for a term of one 1/2 year; one 1/2 member  
27 for a term of 2 years; one 1/2 member for a term of 3 years;  
28 and one 1/2 member for a term of 4 years. ~~The--member--first~~  
29 ~~appointed-under-this-amendatory-Act-of-1984-shall-serve-for-a~~  
30 ~~term-of-4-years.~~

31 Vacancies among the appointive members shall be filled  
32 for unexpired terms by appointment in like manner as for

1 original appointments, and appointive members shall continue  
2 in office until their successors have been appointed and have  
3 qualified.

4 Ex-officio members who cannot attend meetings of the  
5 board or its committees may respectively designate one  
6 appropriate proxy from within the office of the State  
7 Treasurer or the trustees of the pension fund or retirement  
8 system, which proxy shall have the same powers and authority  
9 as the ex-officio member being represented, but no member may  
10 designate a different proxy within one year after his last  
11 designation of a proxy unless the person last so designated  
12 has become ineligible to serve in that capacity.

13 Each person appointed to membership shall qualify by  
14 taking an oath of office before the Secretary of State  
15 stating that he will diligently and honestly administer the  
16 affairs of the board and will not violate or knowingly permit  
17 the violation of any provisions of this Article.

18 Members of the board shall receive no salary for service  
19 on the board but shall be reimbursed for travel expenses  
20 incurred while on business for the board according to the  
21 standards in effect for members of the Illinois Legislative  
22 Research Unit. A member of the board who experiences a  
23 significant financial hardship due to the loss of income on  
24 days of attendance at meetings or while otherwise engaged in  
25 the business of the board may be paid a hardship allowance,  
26 as determined by and subject to the approval of the  
27 Governor's Travel Control Board.

28 A majority of the members of the board shall constitute a  
29 quorum.

30 The Governor shall appoint one of the members of the  
31 board to serve as chairman, who shall preside over meetings  
32 of the board. The board shall elect from its membership,  
33 biennially, a Chairman, Vice Chairman and a Recording  
34 Secretary. These officers, together with one other member

1 elected by the board, shall constitute the executive  
2 committee. During the interim between regular meetings of  
3 the board, the executive committee shall have authority to  
4 conduct all business of the board and shall report such  
5 business conducted at the next following meeting of the board  
6 for ratification.

7 No member of the board shall have any interest in any  
8 brokerage fee, commission or other profit or gain arising out  
9 of any investment made by the board. This paragraph does not  
10 preclude ownership by any member of any minority interest in  
11 any common stock or any corporate obligation in which  
12 investment is made by the board.

13 The board shall contract for a blanket fidelity bond in  
14 the penal sum of not less than \$1,000,000.00 to cover members  
15 of the board, the director and all other employees of the  
16 board conditioned for the faithful performance of the duties  
17 of their respective offices, the premium on which shall be  
18 paid by the board. The bond shall be filed with the State  
19 Treasurer for safekeeping.

20 (Source: P.A. 87-1265.)

21 (40 ILCS 5/22A-110) (from Ch. 108 1/2, par. 22A-110)  
22 Sec. 22A-110. Administration.

23 (a) The board shall have a director, who shall be  
24 appointed by the Governor. The salary and duties of the  
25 director shall be fixed by the board. The board shall  
26 ~~appoint~~-a director shall to administer the affairs of the  
27 board subject to and under its supervision and ~~fix his~~  
28 ~~compensation~~. The board may appoint investment officers and  
29 fix their compensation. With the approval of the board, the  
30 director may employ such personnel, professional or clerical,  
31 as may be desirable and fix their compensation. The  
32 appointment and compensation of the personnel other than the  
33 director and investment officers shall be subject to the

1 Personnel Code.

2 (b) The board may adopt such rules and regulations (not  
3 inconsistent with this Article) as in its judgment are  
4 desirable to implement and properly administer this Article.  
5 A copy thereof shall be filed with the Secretary of State.

6 (c) The board may exercise any of the powers granted to  
7 boards of trustees of pension funds under Sections 1-107 or  
8 1-108 of this Act, and may by resolution provide for the  
9 indemnification of its members and any of its directors,  
10 officers, advisors or employees in a manner consistent with  
11 those Sections. No such resolution adopted on or after  
12 September 27, 1977 shall be deemed invalid for the reason  
13 that it was adopted prior to the effective date of this  
14 amendatory Act of 1983.

15 (d) An office for meetings of the board and for  
16 administrative personnel shall be established at any suitable  
17 place within the State as may be selected by the board. All  
18 books and records of the board shall be kept in such office.  
19 (Source: P.A. 83-974.)

20 Section 70-3205. The Illinois Sports Facilities  
21 Authority Act is amended by changing Sections 4, 5, 6, and 7  
22 as follows:

23 (70 ILCS 3205/4) (from Ch. 85, par. 6004)

24 Sec. 4. Creation of Authority. There is hereby created  
25 a political subdivision, unit of local government, body  
26 politic and municipal corporation by the name and style of  
27 the Illinois Sports Facilities Authority.

28 The governing and administrative powers of the Authority  
29 shall be vested in a body known as the Illinois Sports  
30 Facilities Authority Board. The Board shall consist of 7  
31 members, a Chairman who shall be appointed by the Governor  
32 subject to the approval of the Mayor of the City of Chicago,



1 3 other members shall-be appointed by the Governor, and 3  
2 members shall--be appointed by the Mayor of the City of  
3 Chicago. All gubernatorial appointments, including the  
4 Chairman, shall be subject to the advice and consent of the  
5 Senate, except in the case of temporary appointments as  
6 provided in Section 5 of this Act. No member shall be  
7 employed by the State or any political subdivision of the  
8 State or of any department or agency thereof.

9 (Source: P.A. 85-8.)

10 (70 ILCS 3205/5) (from Ch. 85, par. 6005)

11 Sec. 5. Terms of Appointments. On the effective date of  
12 this Act, the Governor shall appoint 3 members of the Board  
13 for initial terms expiring July 1 of the years 1988, 1989 and  
14 1990, respectively and the Mayor of the City of Chicago shall  
15 appoint 3 members of the Board for initial terms expiring  
16 July 1 of the years 1988, 1989 and 1990, respectively. At  
17 the expiration of the term of any member appointed by the  
18 Governor, his successor shall be appointed by the Governor in  
19 like manner, and at the expiration of the term of any member  
20 appointed by the Mayor of the City of Chicago, his successor  
21 shall be appointed by the Mayor of the City of Chicago in  
22 like manner, as appointments for the initial terms. All  
23 successors shall hold office for a term of 3 years from the  
24 first day of July of the year in which they are appointed,  
25 except in case of an appointment to fill a vacancy. The  
26 initial Chairman shall serve in that capacity for a term  
27 expiring July 1, 1991. All subsequent Chairmen shall hold  
28 office for a term of 3 years. Each member, including the  
29 Chairman, shall hold office until the expiration of his term  
30 and until his successor is appointed and qualified. Nothing  
31 shall preclude a member or a chairman from serving  
32 consecutive terms. Vacancies for members and for the  
33 Chairman shall be filled in the same manner as original

1 appointments for the balance of the unexpired term.

2 In case of a vacancy in the office of the chairman or of  
3 any of the three members of the Board appointed by the  
4 Governor during the recess of the Senate, the Governor shall  
5 make a temporary appointment until the next meeting of the  
6 Senate, when he shall appoint some person to fill such  
7 office. Any person so appointed who is confirmed by the  
8 Senate shall hold office during the remainder of the term and  
9 until his successor is appointed and qualified. The initial  
10 appointments by the Governor, including the chairman, shall  
11 be effective immediately, but shall remain in effect no  
12 longer than 30 calendar days after commencement of the next  
13 Senate session unless the appointee is confirmed by the  
14 Senate within that time. The appointment of the initial  
15 chairman by the Governor shall be subject to the approval of  
16 the Mayor of the City of Chicago.

17 Notwithstanding any other provision of this Section, the  
18 term of each member of the Board who was appointed by the  
19 Governor and is in office on June 30, 2003 shall terminate at  
20 the close of business on that date or when all of the  
21 successor members to be appointed pursuant to this amendatory  
22 Act of the 93rd General Assembly have been appointed by the  
23 Governor, whichever occurs later. As soon as possible, the  
24 Governor shall appoint persons to fill the vacancies created  
25 by this amendatory Act. The Chairman initially appointed  
26 under this provision shall serve for a term ending July 1,  
27 2006. Of the remaining 3 initial appointees under this  
28 provision, one each shall serve for a term ending on July 1  
29 of 2004, 2005, and 2006.

30 (Source: P.A. 85-8.)

31 (70 ILCS 3205/6) (from Ch. 85, par. 6006)

32 Sec. 6. Actions of Members.

33 (A) Four members of the Authority constitute a quorum

1 for the purpose of conducting business. Actions of the  
2 Authority must receive the affirmative vote of at least four  
3 members. The Authority shall determine the times and places  
4 of its meetings.

5 The members of the Authority shall serve without  
6 compensation for service as a member, but are entitled to  
7 reimbursement of reasonable expenses incurred in the  
8 performance of their official duties. A member of the Board  
9 who experiences a significant financial hardship due to the  
10 loss of income on days of attendance at meetings or while  
11 otherwise engaged in the business of the Board may be paid a  
12 hardship allowance, as determined by and subject to the  
13 approval of the Governor's Travel Control Board.

14 (B) The Authority shall annually elect a secretary and a  
15 treasurer. An executive committee made up of three members,  
16 comprised of the Chairman, one member who was appointed by  
17 the Governor and one member who was appointed by the Mayor of  
18 Chicago shall have the authority to operate the Authority on  
19 a day-to-day basis, with the powers and duties determined by  
20 the Bylaws of the Authority.

21 (Source: P.A. 85-8.)

22 (70 ILCS 3205/7) (from Ch. 85, par. 6007)

23 Sec. 7. Executive Director. The Governor, subject to  
24 the approval of the Mayor of the City of Chicago, Authority  
25 shall appoint an Executive Director, who shall be is the  
26 chief executive officer of the Authority.

27 In addition to any other duties set forth in this Act,  
28 the Executive Director shall:

29 (1) Direct and supervise the administrative affairs and  
30 activities of the Authority, in accordance with its rules,  
31 regulations, and policies;

32 (2) Attend meetings of the Authority;

33 (3) Keep minutes of all proceedings of the Authority;

1 (4) Approve all accounts for salaries, per diem  
2 payments, and allowable expenses of the Authority and its  
3 employees and consultants and approve all expenses incidental  
4 to the operation of the Authority;

5 (5) Report and make recommendations to the Authority on  
6 the merits and status of any proposed facility; and

7 (6) Perform any other duty that the Authority requires  
8 for carrying out the provisions of this Act.

9 (Source: P.A. 84-1470.)

10 Section 105-5. The School Code is amended by changing  
11 Section 14-11.02 as follows:

12 (105 ILCS 5/14-11.02) (from Ch. 122, par. 14-11.02)

13 Sec. 14-11.02. Notwithstanding any other Sections of  
14 this Article, the State Board of Education shall develop and  
15 operate or contract for the operation of a service center for  
16 persons who are deaf-blind. For the purpose of this Section,  
17 persons with deaf-blindness are persons who have both  
18 auditory and visual impairments, the combination of which  
19 causes such severe communication and other developmental,  
20 educational, vocational and rehabilitation problems that such  
21 persons cannot be properly accommodated in special education  
22 or vocational rehabilitation programs solely for persons with  
23 both hearing and visual disabilities.

24 To be eligible for deaf-blind services, a person must  
25 have (i) a visual impairment and an auditory impairment, or  
26 (ii) a condition in which there is a progressive loss of  
27 hearing or vision or both that results in concomitant vision  
28 and hearing impairments and that adversely affects  
29 educational performance as determined by the  
30 multidisciplinary conference. For purposes of this paragraph  
31 and Section:

32 (A) A visual impairment is defined to mean one or

1 more of the following: (i) corrected visual acuity poorer  
2 than 20/70 in the better eye; (ii) restricted visual  
3 field of 20 degrees or less in the better eye; (iii)  
4 cortical blindness; (iv) does not appear to respond to  
5 visual stimulation, which adversely affects educational  
6 performance as determined by the multidisciplinary  
7 conference.

8 (B) An auditory impairment is defined to mean one  
9 or more of the following: (i) a sensorineural or ongoing  
10 or chronic conductive hearing loss with aided sensitivity  
11 of 30dB HL or poorer; (ii) functional auditory behavior  
12 that is significantly discrepant from the person's  
13 present cognitive and/or developmental levels, which  
14 adversely affects educational performance as determined  
15 by the multidisciplinary conference.

16 The State Board of Education is empowered to establish,  
17 maintain and operate or contract for the operation of a  
18 permanent state-wide service center known as the Philip J.  
19 Rock Center and School. The School serves eligible children  
20 between the ages of 3 and 21; the Center serves eligible  
21 persons of all ages. Services provided by the Center include,  
22 but are not limited to:

23 (1) Identifying and case management of persons who  
24 are auditorily and visually impaired;

25 (2) Providing families with appropriate counseling;

26 (3) Referring persons who are deaf-blind to  
27 appropriate agencies for medical and diagnostic services;

28 (4) Referring persons who are deaf-blind to  
29 appropriate agencies for educational, training and care  
30 services;

31 (5) Developing and expanding services throughout  
32 the State to persons who are deaf-blind. This will  
33 include ancillary services, such as transportation so  
34 that the individuals can take advantage of the expanded

1 services;

2 (6) Maintaining a residential-educational training  
3 facility in the Chicago metropolitan area located in an  
4 area accessible to public transportation;

5 (7) Receiving, dispensing, and monitoring State and  
6 Federal funds to the School and Center designated for  
7 services to persons who are deaf-blind;

8 (8) Coordinating services to persons who are  
9 deaf-blind through all appropriate agencies, including  
10 the Department of Children and Family Services and the  
11 Department of Human Services;

12 (9) Entering into contracts with other agencies to  
13 provide services to persons who are deaf-blind;

14 (10) Operating on a no-reject basis. Any  
15 individual referred to the Center for service and  
16 diagnosed as deaf-blind, as defined in this Act, shall  
17 qualify for available services;

18 (11) Serving as the referral clearinghouse for all  
19 persons who are deaf-blind, age 21 and older; and

20 (12) Providing transition services for students of  
21 Philip J. Rock School who are deaf-blind and between the  
22 ages of 14 1/2 and 21.

23 The Advisory Board for Services for Persons who are  
24 Deaf-Blind shall provide advice to the State Superintendent  
25 of Education, the Governor, and the General Assembly on all  
26 matters pertaining to policy concerning persons who are  
27 deaf-blind, including the implementation of legislation  
28 enacted on their behalf.

29 Regarding the maintenance, operation and education  
30 functions of the Philip J. Rock Center and School, the  
31 Advisory Board shall also make recommendations pertaining to  
32 but not limited to the following matters:

33 (1) Existing and proposed programs of all State  
34 agencies that provide services for persons who are

1 deaf-blind;

2 (2) The State program and financial plan for  
3 deaf-blind services and the system of priorities to be  
4 developed by the State Board of Education;

5 (3) Standards for services in facilities serving  
6 persons who are deaf-blind;

7 (4) Standards and rates for State payments for any  
8 services purchased for persons who are deaf-blind;

9 (5) Services and research activities in the field  
10 of deaf-blindness, including evaluation of services; and

11 (6) Planning for personnel/preparation, both  
12 preservice and inservice.

13 The Advisory Board shall consist of 3 persons appointed  
14 by the Governor; 2 persons appointed by the State  
15 Superintendent of Education; 4 persons appointed by the  
16 Secretary of Human Services; and 2 persons appointed by the  
17 Director of Children and Family Services. The 3 appointments  
18 of the Governor shall consist of a senior citizen 60 years of  
19 age or older, a consumer who is deaf-blind, and a parent of a  
20 person who is deaf-blind; provided that if any gubernatorial  
21 appointee serving on the Advisory Board on the effective date  
22 of this amendatory Act of 1991 is not either a senior citizen  
23 60 years of age or older or a consumer who is deaf-blind or a  
24 parent of a person who is deaf-blind, then whenever that  
25 appointee's term of office expires or a vacancy in that  
26 appointee's office sooner occurs, the Governor shall make the  
27 appointment to fill that office or vacancy in a manner that  
28 will result, at the earliest possible time, in the Governor's  
29 appointments to the Advisory Board being comprised of one  
30 senior citizen 60 years of age or older, one consumer who is  
31 deaf-blind, and one parent of a person who is deaf-blind.  
32 One person designated by each agency other than the  
33 Department of Human Services may be an employee of that  
34 agency. Two persons appointed by the Secretary of Human

1 Services may be employees of the Department of Human  
2 Services. The appointments of each appointing authority  
3 other than the Governor shall include at least one parent of  
4 an individual who is deaf-blind or a person who is  
5 deaf-blind.

6 Vacancies in terms shall be filled by the original  
7 appointing authority. After the original terms, all terms  
8 shall be for 3 years.

9 Except for those members of the Advisory Board who are  
10 compensated for State service on a full-time basis, members  
11 shall be reimbursed for all actual expenses incurred in the  
12 performance of their duties. Each member who is not  
13 compensated for State service on a full-time basis and who  
14 experiences a significant financial hardship due to the loss  
15 of income on days of attendance at meetings or while  
16 otherwise engaged in the business of the Advisory Board may  
17 be paid a hardship allowance, as determined by and subject to  
18 the approval of the Governor's Travel Control Board. shall-be  
19 compensated-at-a-rate-of-\$50--per--day--which--he--spends--on  
20 Advisory-Board-duties.

21 The Advisory Board shall meet at least 4 times per year  
22 and not more than 12 times per year.

23 The Advisory Board shall provide for its own  
24 organization.

25 Six members of the Advisory Board shall constitute a  
26 quorum. The affirmative vote of a majority of all members of  
27 the Advisory Board shall be necessary for any action taken by  
28 the Advisory Board.

29 (Source: P.A. 88-670, eff. 12-2-94; 89-397, eff. 8-20-95;  
30 89-507, eff. 7-1-97.)

31 Section 110-520. The Southern Illinois University  
32 Management Act is amended by changing Section 4 as follows:



1 (110 ILCS 520/4) (from Ch. 144, par. 654)

2 Sec. 4. Members of the Board shall serve without  
3 compensation but shall be entitled to reasonable amounts for  
4 expenses necessarily incurred in the performance of their  
5 duties. Such expenses incurred by any non-voting student  
6 member may, at the discretion of the Chairman of the Board,  
7 be provided for by advance payment to such member, who shall  
8 account therefor to the Board immediately after each meeting.

9 No member of the Board shall hold or be employed in or  
10 appointed to any office or place under the authority of the  
11 Board, nor shall any member of the Board be directly or  
12 indirectly interested in any contract made by the Board, nor  
13 shall he be an employee of the State ~~or Federal Government~~.  
14 This Section does not prohibit the student members of the  
15 Board from maintaining normal and official status as enrolled  
16 students or normal student employment at Southern Illinois  
17 University.

18 (Source: P.A. 79-932.)

19 Section 110-660. The Chicago State University Law is  
20 amended by changing Section 5-20 as follows:

21 (110 ILCS 660/5-20)

22 Sec. 5-20. Reimbursement; employment limitations.  
23 Members of the Board shall serve without compensation but  
24 shall be entitled to reasonable amounts for expenses  
25 necessarily incurred in the performance of their duties.  
26 Such expenses incurred by the student member may, at the  
27 discretion of the Chairman of the Board, be provided for by  
28 advance payment to the student member, who shall account  
29 therefor to the Board immediately after each meeting.

30 No member of the Board shall hold or be employed in or  
31 appointed to any office or place under the authority of the  
32 Board, nor shall any member of the Board be directly or

1 indirectly interested in any contract made by the Board, nor  
2 shall he be an employee of the State ~~or--Federal--Government~~;  
3 provided that nothing in this Section shall be deemed to  
4 prohibit the student member of the Board from maintaining  
5 normal and official status as an enrolled student or normal  
6 student employment at Chicago State University.

7 (Source: P.A. 89-4, eff. 1-1-96.)

8 Section 110-665. The Eastern Illinois University Law is  
9 amended by changing Section 10-20 as follows:

10 (110 ILCS 665/10-20)

11 Sec. 10-20. Reimbursement; employment limitations.  
12 Members of the Board shall serve without compensation but  
13 shall be entitled to reasonable amounts for expenses  
14 necessarily incurred in the performance of their duties.  
15 Such expenses incurred by the student member may, at the  
16 discretion of the Chairman of the Board, be provided for by  
17 advance payment to the student member, who shall account  
18 therefor to the Board immediately after each meeting.

19 No member of the Board shall hold or be employed in or  
20 appointed to any office or place under the authority of the  
21 Board, nor shall any member of the Board be directly or  
22 indirectly interested in any contract made by the Board, nor  
23 shall he be an employee of the State ~~or--Federal--Government~~;  
24 provided that nothing in this Section shall be deemed to  
25 prohibit the student member of the Board from maintaining  
26 normal and official status as an enrolled student or normal  
27 student employment at Eastern Illinois University.

28 (Source: P.A. 89-4, eff. 1-1-96.)

29 Section 110-670. The Governors State University Law is  
30 amended by changing Section 15-20 as follows:

1 (110 ILCS 670/15-20)

2 Sec. 15-20. Reimbursement; employment limitations.  
3 Members of the Board shall serve without compensation but  
4 shall be entitled to reasonable amounts for expenses  
5 necessarily incurred in the performance of their duties.  
6 Such expenses incurred by the student member may, at the  
7 discretion of the Chairman of the Board, be provided for by  
8 advance payment to the student member, who shall account  
9 therefor to the Board immediately after each meeting.

10 No member of the Board shall hold or be employed in or  
11 appointed to any office or place under the authority of the  
12 Board, nor shall any member of the Board be directly or  
13 indirectly interested in any contract made by the Board, nor  
14 shall he be an employee of the State ~~or--Federal--Government;~~  
15 provided that nothing in this Section shall be deemed to  
16 prohibit the student member of the Board from maintaining  
17 normal and official status as an enrolled student or normal  
18 student employment at Governors State University.

19 (Source: P.A. 89-4, eff. 1-1-96.)

20 Section 110-675. The Illinois State University Law is  
21 amended by changing Section 20-20 as follows:

22 (110 ILCS 675/20-20)

23 Sec. 20-20. Reimbursement; employment limitations.  
24 Members of the Board shall serve without compensation but  
25 shall be entitled to reasonable amounts for expenses  
26 necessarily incurred in the performance of their duties.  
27 Such expenses incurred by the student member may, at the  
28 discretion of the Chairman of the Board, be provided for by  
29 advance payment to the student member, who shall account  
30 therefor to the Board immediately after each meeting.

31 No member of the Board shall hold or be employed in or  
32 appointed to any office or place under the authority of the

1 Board, nor shall any member of the Board be directly or  
2 indirectly interested in any contract made by the Board, nor  
3 shall he be an employee of the State ~~or-Federal-Government~~;  
4 provided that nothing in this Section shall be deemed to  
5 prohibit the student member of the Board from maintaining  
6 normal and official status as an enrolled student or normal  
7 student employment at Illinois State University.

8 (Source: P.A. 89-4, eff. 1-1-96.)

9 Section 110-680. The Northeastern Illinois University  
10 Law is amended by changing Section 25-20 as follows:

11 (110 ILCS 680/25-20)

12 Sec. 25-20. Reimbursement; employment limitations.  
13 Members of the Board shall serve without compensation but  
14 shall be entitled to reasonable amounts for expenses  
15 necessarily incurred in the performance of their duties.  
16 Such expenses incurred by the student member may, at the  
17 discretion of the Chairman of the Board, be provided for by  
18 advance payment to the student member, who shall account  
19 therefor to the Board immediately after each meeting.

20 No member of the Board shall hold or be employed in or  
21 appointed to any office or place under the authority of the  
22 Board, nor shall any member of the Board be directly or  
23 indirectly interested in any contract made by the Board, nor  
24 shall he be an employee of the State ~~or--Federal--Government~~;  
25 provided that nothing in this Section shall be deemed to  
26 prohibit the student member of the Board from maintaining  
27 normal and official status as an enrolled student or normal  
28 student employment at Northeastern Illinois University.

29 (Source: P.A. 89-4, eff. 1-1-96.)

30 Section 110-685. The Northern Illinois University Law is  
31 amended by changing Section 30-20 as follows:

1 (110 ILCS 685/30-20)

2 Sec. 30-20. Reimbursement; employment limitations.  
3 Members of the Board shall serve without compensation but  
4 shall be entitled to reasonable amounts for expenses  
5 necessarily incurred in the performance of their duties.  
6 Such expenses incurred by the student member may, at the  
7 discretion of the Chairman of the Board, be provided for by  
8 advance payment to the student member, who shall account  
9 therefor to the Board immediately after each meeting.

10 No member of the Board shall hold or be employed in or  
11 appointed to any office or place under the authority of the  
12 Board, nor shall any member of the Board be directly or  
13 indirectly interested in any contract made by the Board, nor  
14 shall he be an employee of the State ~~or--Federal--Government~~;  
15 provided that nothing in this Section shall be deemed to  
16 prohibit the student member of the Board from maintaining  
17 normal and official status as an enrolled student or normal  
18 student employment at Northern Illinois University.

19 (Source: P.A. 89-4, eff. 1-1-96.)

20 Section 110-690. The Western Illinois University Law is  
21 amended by changing Section 35-20 as follows:

22 (110 ILCS 690/35-20)

23 Sec. 35-20. Reimbursement; employment limitations.  
24 Members of the Board shall serve without compensation but  
25 shall be entitled to reasonable amounts for expenses  
26 necessarily incurred in the performance of their duties.  
27 Such expenses incurred by the student member may, at the  
28 discretion of the Chairman of the Board, be provided for by  
29 advance payment to the student member, who shall account  
30 therefor to the Board immediately after each meeting.

31 No member of the Board shall hold or be employed in or  
32 appointed to any office or place under the authority of the

1 Board, nor shall any member of the Board be directly or  
2 indirectly interested in any contract made by the Board, nor  
3 shall he be an employee of the State ~~or Federal Government~~;  
4 provided that nothing in this Section shall be deemed to  
5 prohibit the student member of the Board from maintaining  
6 normal and official status as an enrolled student or normal  
7 student employment at Western Illinois University.

8 (Source: P.A. 89-4, eff. 1-1-96.)

9 Section 115-5. The Illinois Educational Labor Relations  
10 Act is amended by changing Section 5 as follows:

11 (115 ILCS 5/5) (from Ch. 48, par. 1705)

12 Sec. 5. Illinois Educational Labor Relations Board.

13 (a) There is hereby created the Illinois Educational  
14 Labor Relations Board.

15 (a-5) Until July 1, 2003 or when all of the new members  
16 to be initially appointed under this amendatory Act of the  
17 93rd General Assembly have been appointed by the Governor,  
18 whichever occurs later, the Illinois Educational Labor  
19 Relations Board shall consist consisting of 7 members, no  
20 more than 4 of whom may be of the same political party, who  
21 are residents of Illinois appointed by the Governor with the  
22 advice and consent of the Senate.

23 The term of each appointed member of the Board who is in  
24 office on June 30, 2003 shall terminate at the close of  
25 business on that date or when all of the new members to be  
26 initially appointed under this amendatory Act of the 93rd  
27 General Assembly have been appointed by the Governor,  
28 whichever occurs later.

29 (b) Beginning on July 1, 2003 or when all of the new  
30 members to be initially appointed under this amendatory Act  
31 of the 93rd General Assembly have been appointed by the  
32 Governor, whichever occurs later, the Illinois Educational

1 Labor Relations Board shall consist of 5 members appointed by  
2 the Governor with the advice and consent of the Senate. No  
3 more than 3 members may be of the same political party.

4 The Governor shall appoint to the Board only persons who  
5 are residents of Illinois and have had a minimum of 5 years  
6 of experience directly related to labor and employment  
7 relations in representing educational employers or  
8 educational employees in collective bargaining matters. One  
9 appointed member shall be designated at the time of his or  
10 her appointment to serve as chairman.

11 Of the initial 2-additional members appointed pursuant to  
12 this amendatory Act of the 93rd General Assembly, 2 1997, one  
13 shall be designated at the time of his-~~or~~-her appointment to  
14 serve a term of 6 years, 2 shall be designated at the time of  
15 appointment to serve a term of 4 years, and the other shall  
16 be designated at the time of his or her appointment to serve  
17 a term of 4 years, with each to serve until his or her  
18 successor is appointed and qualified. ~~In--the-event-the~~  
19 ~~Senate-is-not-in-session-at-the-time-the-2-additional-members~~  
20 ~~are-appointed-pursuant-to-this-amendatory-Act--of--1997,~~ the  
21 ~~Governor---shall---make---these---appointments--as--temporary~~  
22 ~~appointments-until-the-next-meeting-of--the--Senate--when--he~~  
23 ~~shall--appoint,~~ by--and--with--the--advice--and--consent--of--the  
24 ~~Senate,~~ 2--persons--to--fill--those--memberships--for--their  
25 ~~unexpired-terms.~~ The-2-additional-members-appointed-pursuant  
26 ~~to-this-amendatory-Act-of-the--91st--General--Assembly--shall~~  
27 ~~each-serve-initial-terms-of-6-years.~~

28 (b) Each subsequent member shall be appointed in like  
29 manner for a term of 6 years and until his or her successor  
30 is appointed and qualified. Each member of the Board is  
31 eligible for reappointment. Vacancies shall be filled in the  
32 same manner as original appointments for the balance of the  
33 unexpired term.

34 (c) The chairman shall be paid \$50,000 per year, or an

1 amount set by the Compensation Review Board, whichever is  
2 greater. Other members of the Board shall each be paid  
3 \$45,000 per year, or an amount set by the Compensation Review  
4 Board, whichever is greater. They shall be entitled to  
5 reimbursement for necessary traveling and other official  
6 expenditures necessitated by their official duties.

7 Each member shall devote his entire time to the duties of  
8 the office, and shall hold no other office or position of  
9 profit, nor engage in any other business, employment or  
10 vocation.

11 (d) Three ~~Four~~ members of the Board constitute a quorum  
12 and a vacancy on the Board does not impair the right of the  
13 remaining members to exercise all of the powers of the Board.

14 (e) Any member of the Board may be removed by the  
15 Governor, upon notice, for neglect of duty or malfeasance in  
16 office, but for no other cause.

17 (f) The Board may appoint or employ an executive  
18 director, attorneys, hearing officers, and such other  
19 employees as it deems necessary to perform its functions.  
20 The Board shall prescribe the duties and qualifications of  
21 such persons appointed and, subject to the annual  
22 appropriation, fix their compensation and provide for  
23 reimbursement of actual and necessary expenses incurred in  
24 the performance of their duties.

25 (g) The Board may promulgate rules and regulations which  
26 allow parties in proceedings before the Board to be  
27 represented by counsel or any other person knowledgeable in  
28 the matters under consideration.

29 (h) To accomplish the objectives and to carry out the  
30 duties prescribed by this Act, the Board may subpoena  
31 witnesses, subpoena the production of books, papers, records  
32 and documents which may be needed as evidence on any matter  
33 under inquiry and may administer oaths and affirmations.

34 In cases of neglect or refusal to obey a subpoena issued



1 to any person, the circuit court in the county in which the  
2 investigation or the public hearing is taking place, upon  
3 application by the Board, may issue an order requiring such  
4 person to appear before the Board or any member or agent of  
5 the Board to produce evidence or give testimony. A failure to  
6 obey such order may be punished by the court as in civil  
7 contempt.

8 Any subpoena, notice of hearing, or other process or  
9 notice of the Board issued under the provisions of this Act  
10 may be served personally, by registered mail or by leaving a  
11 copy at the principal office of the respondent required to be  
12 served. A return, made and verified by the individual making  
13 such service and setting forth the manner of such service, is  
14 proof of service. A post office receipt, when registered  
15 mail is used, is proof of service. All process of any court  
16 to which application may be made under the provisions of this  
17 Act may be served in the county where the persons required to  
18 be served reside or may be found.

19 (i) The Board shall adopt, promulgate, amend, or rescind  
20 rules and regulations in accordance with the "The Illinois  
21 Administrative Procedure Act"~~7-as-new-or-hereafter-amended~~,  
22 as it deems necessary and feasible to carry out this Act.

23 (j) The Board at the end of every State fiscal year  
24 shall make a report in writing to the Governor and the  
25 General Assembly, stating in detail the work it has done in  
26 hearing and deciding cases and otherwise.

27 (Source: P.A. 90-548, eff. 1-1-98; 91-798, eff. 7-9-00.)

28 Section 205-105. The Illinois Savings and Loan Act of  
29 1985 is amended by changing Section 7-20 as follows:

30 (205 ILCS 105/7-20) (from Ch. 17, par. 3307-20)

31 Sec. 7-20. Board of Savings Institutions; appointment.  
32 The Savings and Loan Board is hereby redesignated the Board

1 of Savings Institutions. The Board shall be composed of 7  
2 persons appointed by the Governor. Four persons shall  
3 represent the public interest. Three persons shall have been  
4 engaged actively in savings and loan or savings bank  
5 management in this State for at least 5 years immediately  
6 prior to appointment.

7 Members Each-member of the Board shall not be compensated  
8 for their service, but may be reimbursed for the receive  
9 compensation-of--\$50--per--day--for--each--day--actually--and  
10 neessarily--consumed--in--the--performance--of--the--duties--of  
11 effice, plus necessary expenses incurred in the performance  
12 of their these duties. A member of the Board who experiences  
13 a significant financial hardship due to the loss of income on  
14 days of attendance at meetings or while otherwise engaged in  
15 the business of the Board may be paid a hardship allowance,  
16 as determined by and subject to the approval of the  
17 Governor's Travel Control Board.

18 The members of the Board serving immediately before the  
19 effective date of this amendatory Act of 1996 shall continue  
20 to serve for the balance of their respective terms. Members  
21 shall be appointed for 4-year terms to expire on the third  
22 Monday in January. Except as otherwise provided in this  
23 Section, members of the Board shall serve until their  
24 respective successors are appointed and qualified. A member  
25 who tenders a written resignation shall serve only until the  
26 resignation is accepted by the Chairman. A member who fails  
27 to attend 3 consecutive Board meetings without an excused  
28 absence shall no longer serve as a member. The Governor  
29 shall fill any vacancy by the appointment of a member for the  
30 unexpired term in the same manner as in the making of  
31 original appointments.

32 (Source: P.A. 89-508, eff. 7-3-96; 89-603, eff. 8-2-96.)

33 Section 205-635. The Residential Mortgage License Act of

1 1987 is amended by changing Section 1-5 as follows:

2 (205 ILCS 635/1-5) (from Ch. 17, par. 2321-5)

3 Sec. 1-5. Residential Mortgage Board.

4 (a) Board composition, compensation. There is created  
5 the Residential Mortgage Board composed of 5 members  
6 appointed by the Commissioner of Banks and Real Estate. The  
7 majority of persons on the Board shall have no financial  
8 interest in any residential mortgage business and one member  
9 shall be a representative of the Mortgage Banking Trade  
10 Association and one member shall be a representative of the  
11 Mortgage Broker Trade Association. Members of the Board  
12 serving on the effective date of this amendatory Act of 1996  
13 shall continue to serve their unexpired terms as members of  
14 the Residential Mortgage Board. Thereafter, on or before  
15 January 15 of each year, the Commissioner shall appoint one  
16 or more board members, as shall be necessary to maintain a 5  
17 member Board, whose terms shall be for 3 years commencing  
18 February 1 of the year in which they are respectively  
19 appointed.

20 If a vacancy occurs on the Residential Mortgage Board,  
21 the Commissioner shall within 60 days appoint a new member  
22 who shall hold office for the remainder of the vacated term.

23 The Board shall meet at the call of the chairman, who  
24 along with a Secretary, shall be selected by the Board from  
25 among its members.

26 Members of the Board shall serve without compensation but  
27 be entitled to receive a per diem allowance of \$25 for each  
28 day or part of a day spent on Board work and shall be  
29 entitled to their expenses actually and necessarily incurred  
30 in the performance of their duties. A member of the Board  
31 who experiences a significant financial hardship due to the  
32 loss of income on days of attendance at meetings or while  
33 otherwise engaged in the business of the Board may be paid a

1 hardship allowance, as determined by and subject to the  
2 approval of the Governor's Travel Control Board.

3 The members of the Board serve at the pleasure of the  
4 Commissioner.

5 (b) Duties of Board. The Residential Mortgage Board  
6 shall assist the Commissioner by:

7 (1) submitting recommendations to the Commissioner  
8 for the efficient administration of this Act; and

9 (2) performing other duties as are prescribed by  
10 the Commissioner.

11 (c) Conflict of interest declarations. Each member of  
12 the Residential Mortgage Board shall file annually, no later  
13 than February 1, with the Commissioner a statement of his or  
14 her current business transactions or other affiliations with  
15 any licensee under this Act. The Commissioner may adopt  
16 rules to avoid conflicts of interest on the part of members  
17 of the Residential Mortgage Board in connection with their  
18 position on the Board.

19 (Source: P.A. 89-355, eff. 8-17-95; 89-508, eff. 7-3-96.)

20 Section 215-105. The Comprehensive Health Insurance Plan  
21 Act is amended by changing Section 3 as follows:

22 (215 ILCS 105/3) (from Ch. 73, par. 1303)

23 Sec. 3. Operation of the Plan.

24 a. There is hereby created an Illinois Comprehensive  
25 Health Insurance Plan.

26 b. The Plan shall operate subject to the supervision and  
27 control of the board. The board is created as a political  
28 subdivision and body politic and corporate and, as such, is  
29 not a State agency.

30 Until July 1, 2003 or when all of the new members to be  
31 initially appointed under this amendatory Act of the 93rd  
32 General Assembly have been appointed by the Governor,

1 whichever occurs later, the board shall consist of 10 public  
2 members, appointed by the Governor with the advice and  
3 consent of the Senate.

4 The term of each appointed member of the Board who is in  
5 office on June 30, 2003 shall terminate at the close of  
6 business on that date or when all of the new members to be  
7 initially appointed under this amendatory Act of the 93rd  
8 General Assembly have been appointed by the Governor,  
9 whichever occurs later.

10 Beginning on July 1, 2003 or when all of the new members  
11 to be initially appointed under this amendatory Act of the  
12 93rd General Assembly have been appointed by the Governor,  
13 whichever occurs later, the board shall include 6 public  
14 members appointed by the Governor with the advice and consent  
15 of the Senate.

16 Initial members appointed pursuant to this amendatory Act  
17 of the 93rd General Assembly shall be appointed to the Board  
18 by the Governor as follows: 2 members to serve until July 1,  
19 2004 1988, and until their successors are appointed and  
20 qualified; 2 members to serve until July 1, 2005 1989, and  
21 until their successors are appointed and qualified; ~~3 members~~  
22 ~~to serve until July 1, 1990, and until their successors are~~  
23 ~~appointed and qualified;~~ and 2 3 members to serve until July  
24 1, 2006 1991, and until their successors are appointed and  
25 qualified. As terms of initial members expire, their  
26 successors shall be appointed for terms to expire the first  
27 day in July 3 years thereafter, and until their successors  
28 are appointed and qualified.

29 Any vacancy in the Board occurring for any reason other  
30 than the expiration of a term shall be filled for the  
31 unexpired term in the same manner as the original  
32 appointment.

33 Any member of the Board may be removed by the Governor  
34 for neglect of duty, misfeasance, malfeasance, or nonfeasance

1 in office.

2 In addition, a representative of the Bureau of the  
3 Budget, a representative of the Office of the Attorney  
4 General, and the Director or the Director's designated  
5 representative shall be members of the board. Four members  
6 of the General Assembly, one each appointed by the President  
7 and Minority Leader of the Senate and by the Speaker and  
8 Minority Leader of the House of Representatives, shall serve  
9 as nonvoting members of the board. At least 2 of the public  
10 members shall be individuals reasonably expected to qualify  
11 for coverage under the Plan, the parent or spouse of such an  
12 individual, or a surviving family member of an individual who  
13 could have qualified for the plan during his lifetime. The  
14 Director or Director's representative shall be the  
15 chairperson of the board.

16 No more than 5 voting members of the board may be of the  
17 same political party.

18 Members of the board shall receive no compensation, but  
19 shall be reimbursed for reasonable expenses incurred in the  
20 necessary performance of their duties. A member of the Board  
21 who experiences a significant financial hardship due to the  
22 loss of income on days of attendance at meetings or while  
23 otherwise engaged in the business of the Board may be paid a  
24 hardship allowance, as determined by and subject to the  
25 approval of the Governor's Travel Control Board.

26 c. The board shall make an annual report in September  
27 and shall file the report with the Secretary of the Senate  
28 and the Clerk of the House of Representatives. The report  
29 shall summarize the activities of the Plan in the preceding  
30 calendar year, including net written and earned premiums, the  
31 expense of administration, the paid and incurred losses for  
32 the year and other information as may be requested by the  
33 General Assembly. The report shall also include analysis and  
34 recommendations regarding utilization review, quality

1 assurance and access to cost effective quality health care.

2 d. In its plan of operation the board shall:

3 (1) Establish procedures for selecting a plan  
4 administrator in accordance with Section 5 of this Act.

5 (2) Establish procedures for the operation of the  
6 board.

7 (3) Create a Plan fund, under management of the  
8 board, to fund administrative, claim, and other expenses  
9 of the Plan.

10 (4) Establish procedures for the handling and  
11 accounting of assets and monies of the Plan.

12 (5) Develop and implement a program to publicize  
13 the existence of the Plan, the eligibility requirements  
14 and procedures for enrollment and to maintain public  
15 awareness of the Plan.

16 (6) Establish procedures under which applicants and  
17 participants may have grievances reviewed by a grievance  
18 committee appointed by the board. The grievances shall  
19 be reported to the board immediately after completion of  
20 the review. The Department and the board shall retain  
21 all written complaints regarding the Plan for at least 3  
22 years. Oral complaints shall be reduced to written form  
23 and maintained for at least 3 years.

24 (7) Provide for other matters as may be necessary  
25 and proper for the execution of its powers, duties and  
26 obligations under the Plan.

27 e. No later than 5 years after the Plan is operative the  
28 board and the Department shall conduct cooperatively a study  
29 of the Plan and the persons insured by the Plan to determine:

30 (1) claims experience including a breakdown of medical  
31 conditions for which claims were paid; (2) whether  
32 availability of the Plan affected employment opportunities  
33 for participants; (3) whether availability of the Plan  
34 affected the receipt of medical assistance benefits by Plan

1 participants; (4) whether a change occurred in the number of  
2 personal bankruptcies due to medical or other health related  
3 costs; (5) data regarding all complaints received about the  
4 Plan including its operation and services; (6) and any other  
5 significant observations regarding utilization of the Plan.  
6 The study shall culminate in a written report to be presented  
7 to the Governor, the President of the Senate, the Speaker of  
8 the House and the chairpersons of the House and Senate  
9 Insurance Committees. The report shall be filed with the  
10 Secretary of the Senate and the Clerk of the House of  
11 Representatives. The report shall also be available to  
12 members of the general public upon request.

13 f. The board may:

14 (1) Prepare and distribute certificate of  
15 eligibility forms and enrollment instruction forms to  
16 insurance producers and to the general public in this  
17 State.

18 (2) Provide for reinsurance of risks incurred by  
19 the Plan and enter into reinsurance agreements with  
20 insurers to establish a reinsurance plan for risks of  
21 coverage described in the Plan, or obtain commercial  
22 reinsurance to reduce the risk of loss through the Plan.

23 (3) Issue additional types of health insurance  
24 policies to provide optional coverages as are otherwise  
25 permitted by this Act including a Medicare supplement  
26 policy designed to supplement Medicare.

27 (4) Provide for and employ cost containment  
28 measures and requirements including, but not limited to,  
29 preadmission certification, second surgical opinion,  
30 concurrent utilization review programs, and individual  
31 case management for the purpose of making the pool more  
32 cost effective.

33 (5) Design, utilize, contract, or otherwise arrange  
34 for the delivery of cost effective health care services,



1 including establishing or contracting with preferred  
2 provider organizations, health maintenance organizations,  
3 and other limited network provider arrangements.

4 (6) Adopt bylaws, rules, regulations, policies and  
5 procedures as may be necessary or convenient for the  
6 implementation of the Act and the operation of the Plan.

7 (7) Administer separate pools, separate accounts,  
8 or other plans or arrangements as required by this Act to  
9 separate federally eligible individuals or groups of  
10 federally eligible individuals who qualify for plan  
11 coverage under Section 15 of this Act from eligible  
12 persons or groups of eligible persons who qualify for  
13 plan coverage under Section 7 of this Act and apportion  
14 the costs of the administration among such separate  
15 pools, separate accounts, or other plans or arrangements.

16 g. The Director may, by rule, establish additional  
17 powers and duties of the board and may adopt rules for any  
18 other purposes, including the operation of the Plan, as are  
19 necessary or proper to implement this Act.

20 h. The board is not liable for any obligation of the  
21 Plan. There is no liability on the part of any member or  
22 employee of the board or the Department, and no cause of  
23 action of any nature may arise against them, for any action  
24 taken or omission made by them in the performance of their  
25 powers and duties under this Act, unless the action or  
26 omission constitutes willful or wanton misconduct. The board  
27 may provide in its bylaws or rules for indemnification of,  
28 and legal representation for, its members and employees.

29 i. There is no liability on the part of any insurance  
30 producer for the failure of any applicant to be accepted by  
31 the Plan unless the failure of the applicant to be accepted  
32 by the Plan is due to an act or omission by the insurance  
33 producer which constitutes willful or wanton misconduct.

34 j. The board shall have an executive director, who shall

1 be appointed by the Governor. The salary and duties of the  
2 executive director shall be fixed by the board.

3 (Source: P.A. 92-597, eff. 6-28-02.)

4 Section 220-5. The Public Utilities Act is amended by  
5 changing Sections 2-101 and 2-105 as follows:

6 (220 ILCS 5/2-101) (from Ch. 111 2/3, par. 2-101)

7 Sec. 2-101. Commerce Commission created. There is  
8 created an Illinois Commerce Commission consisting of 5  
9 members not more than 3 of whom shall be members of the same  
10 political party at the time of appointment. The Governor  
11 shall appoint the members of such Commission by and with the  
12 advice and consent of the Senate. In case of a vacancy in  
13 such office during the recess of the Senate the Governor  
14 shall make a temporary appointment until the next meeting of  
15 the Senate, when he shall nominate some person to fill such  
16 office; and any person so nominated who is confirmed by the  
17 Senate, shall hold his office during the remainder of the  
18 term and until his successor shall be appointed and  
19 qualified. Each member of the Commission shall hold office  
20 for a term of 5 years from the third Monday in January of the  
21 year in which his predecessor's term expires.

22 Notwithstanding any other provision of this Section, the  
23 term of each member of the Commission who was appointed by  
24 the Governor and is in office on June 30, 2003 shall  
25 terminate at the close of business on that date or when all  
26 of the successor members to be appointed pursuant to this  
27 amendatory Act of the 93rd General Assembly have been  
28 appointed by the Governor, whichever occurs later. As soon  
29 as possible, the Governor shall appoint persons to fill the  
30 vacancies created by this amendatory Act.

31 ~~Notwithstanding any provision of this Section to the~~  
32 ~~contrary, the term of office of each member of the Commission~~

1 ~~is-terminated-on-the-effective-date-of-this-amendatory-Act-of~~  
2 ~~1995, but the incumbent members shall--continue--to--exercise~~  
3 ~~all--of--the--powers--and--be-subject-to-all-of-the-duties-of~~  
4 ~~members-of-the-Commission-until-their--respective--successors~~  
5 ~~are-appointed-and-qualified.~~

6 Of the members initially appointed under the provisions  
7 of this amendatory Act of the 93rd General Assembly 1995, one  
8 member shall be appointed for a term of office which shall  
9 expire on the third Monday of January, 2004 1997; one member  
10 ~~2-members~~ shall be appointed for a term terms of office which  
11 shall expire on the third Monday of January, 2005 1998; one  
12 member shall be appointed for a term of office which shall  
13 expire on the third Monday of January, 2006 1999; one member  
14 shall be appointed for a term of office which shall expire on  
15 the third Monday of January, 2007; and one member shall be  
16 appointed for a term of office which shall expire on the  
17 third Monday of January, 2008 2000. Each respective  
18 successor shall be appointed for a term of 5 years from the  
19 third Monday of January of the year in which his  
20 predecessor's term expires in accordance with the provisions  
21 of the first paragraph of this Section.

22 Each member shall serve until his successor is appointed  
23 and qualified, except that if the Senate refuses to consent  
24 to the appointment of any member, such office shall be deemed  
25 vacant, and within 2 weeks of the date the Senate refuses to  
26 consent to the reappointment of any member, such member shall  
27 vacate such office. The Governor shall from time to time  
28 designate the member of the Commission who shall be its  
29 chairman. Consistent with the provisions of this Act, the  
30 Chairman shall be the chief executive officer of the  
31 Commission for the purpose of ensuring that the Commission's  
32 policies are properly executed.

33 If there is no vacancy on the Commission, 4 members of  
34 the Commission shall constitute a quorum to transact

1 business; otherwise, a majority of the Commission shall  
2 constitute a quorum to transact business, and no vacancy  
3 shall impair the right of the remaining commissioners to  
4 exercise all of the powers of the Commission. Every finding,  
5 order, or decision approved by a majority of the members of  
6 the Commission shall be deemed to be the finding, order, or  
7 decision of the Commission.

8 (Source: P.A. 92-22, eff. 6-30-01.)

9 (220 ILCS 5/2-105) (from Ch. 111 2/3, par. 2-105)

10 Sec. 2-105. Organization; executive director; assistants  
11 to Commissioners.

12 (a) The Commission shall have an executive director, who  
13 shall be appointed by the Governor. The salary and duties of  
14 the executive director shall be fixed by the Commission.  
15 Notwithstanding any other provision of this Section, the  
16 employment of the executive director who is serving on June  
17 30, 2003 shall terminate at the close of business on that  
18 date or upon the appointment of a successor executive  
19 director by the Governor, whichever occurs later.

20 ~~In--order--that--the--Commission--may--perform--the--duties--and~~  
21 ~~exercise--the--powers--granted---to---it---and---assume---its~~  
22 ~~responsibilities--under--this--Act--and--any--and--all--other~~  
23 ~~statutes--of--this--State,--the--Commission,--acting--jointly,--shall~~  
24 ~~hire--an--executive--director--who--shall--be--responsible--to--the~~  
25 ~~Commission--and--shall--serve--subject--only--to--removal--by--the~~  
26 ~~Commission--for--good--cause.~~

27 The executive director shall be responsible for the  
28 supervision and direction of the Commission staff and for the  
29 necessary administrative activities of the Commission,  
30 subject only to Commission direction and approval. In  
31 furtherance thereof, the executive director may organize the  
32 Commission staff into such departments, bureaus, sections, or  
33 divisions as he may deem necessary or appropriate. In

1 connection therewith, the executive director may delegate and  
2 assign to one or more staff member or members the supervision  
3 and direction of any such department, bureau, section, or  
4 division.

5 (b) The executive director shall obtain, subject to the  
6 provisions of the Personnel Code, such accountants,  
7 engineers, experts, inspectors, clerks, and employees as may  
8 be necessary to carry out the provisions of this Act or to  
9 perform the duties and exercise the powers conferred by law  
10 upon the Commission. All accountants, engineers, experts,  
11 inspectors, clerks, and employees of the Commission shall  
12 receive the compensation fixed by the Executive Director,  
13 subject only to Commission approval. Notwithstanding these  
14 provisions, each commissioner shall have the authority to  
15 retain up to 2 full-time assistants, subject to the  
16 provisions of the Personnel Code, who shall be supervised by  
17 the commissioner and whose compensation shall be fixed by the  
18 commissioner.

19 (c) The commissioners, executive director, hearing  
20 examiners, accountants, engineers, clerks, inspectors,  
21 experts, and other employees shall have reimbursed to them  
22 all actual and necessary traveling and other expenses and  
23 disbursements necessarily incurred or made by them in the  
24 discharge of their official duties. The Commission and  
25 executive director may also incur necessary expenses for  
26 office furniture, stationery, printing, and other incidental  
27 expenses.

28 (d) A copy of any contract executed between the  
29 Commission and the executive director which establishes or  
30 provides for the expenditure of public funds shall be filed  
31 with the State Comptroller within 15 days of execution and  
32 shall be available for public inspection. Any cancellation  
33 or modification of any such contract shall be filed with the  
34 State Comptroller within 15 days of execution and shall be

1 available for public inspection. When a contract or  
2 modification required to be filed under this subsection has  
3 not been filed within 30 days of execution, the State  
4 Comptroller shall refuse to issue any warrant for payment  
5 thereunder until the Commission files the contract or  
6 modification with the State Comptroller.

7 (Source: P.A. 89-429, eff. 12-15-95.)

8 Section 225-2. The Acupuncture Practice Act is amended  
9 by changing Section 35 as follows:

10 (225 ILCS 2/35)

11 (Section scheduled to be repealed on January 1, 2008)

12 Sec. 35. Board of Acupuncture. The Director shall  
13 appoint a Board of Acupuncture to consist of 7 persons who  
14 shall be appointed by and shall serve in an advisory capacity  
15 to the Director. Four members must hold an active license to  
16 engage in the practice of acupuncture in this State, one  
17 member shall be a chiropractic physician licensed under the  
18 Medical Practice Act of 1987 who is actively engaged in the  
19 practice of acupuncture, one member shall be a physician  
20 licensed to practice medicine in all of its branches in  
21 Illinois, and one member must be a member of the public who  
22 is not licensed under this Act or a similar Act of another  
23 jurisdiction and who has no connection with the profession.  
24 The initial appointees who would otherwise be required to be  
25 licensed acupuncturists shall instead be individuals who have  
26 been practicing acupuncture for at least 5 years and who are  
27 eligible under this Act for licensure as acupuncturists.

28 Members shall serve 4-year terms and until their  
29 successors are appointed and qualified, except that of the  
30 initial appointments, one member shall be appointed to serve  
31 for 1 year, 2 members shall be appointed to serve for 2  
32 years, 2 members shall be appointed to serve for 3 years, and

1 2 members shall be appointed to serve for 4 years and until  
2 their successors are appointed and qualified. No member  
3 shall be reappointed to the Board for a term that would cause  
4 his or her continuous service on the Board to be longer than  
5 8 consecutive years. Appointments to fill vacancies shall be  
6 made in the same manner as original appointments for the  
7 unexpired portion of the vacated term. Initial terms shall  
8 begin upon the effective date of this amendatory Act of 1997.

9 The Board shall annually elect a chairperson and a  
10 vice-chairperson who shall preside in the absence of the  
11 chairperson. The membership of the Board should reasonably  
12 reflect representation from the geographic areas in this  
13 State. The Director may terminate the appointment of any  
14 member for cause. The Director may give due consideration to  
15 all recommendations of the Board. A majority of the Board  
16 members currently appointed shall constitute a quorum. A  
17 vacancy in the membership of the Board shall not impair the  
18 right of a quorum to exercise the right and perform all the  
19 duties of the Board. Members of the Board shall have no  
20 liability in any action based upon any disciplinary  
21 proceeding or other activity performed in good faith as a  
22 member of the Board.

23 Members of the Board shall receive no compensation for  
24 their service, but may be reimbursed for reasonable and  
25 necessary expenses incurred in the course of that service.

26 A member of the Board who experiences a significant  
27 financial hardship due to the loss of income on days of  
28 attendance at meetings or while otherwise engaged in the  
29 business of the Board may be paid a hardship allowance, as  
30 determined by and subject to the approval of the Governor's  
31 Travel Control Board.

32 (Source: P.A. 89-706, eff. 1-31-97; 90-61, eff. 7-3-97.)

33 Section 225-5. The Illinois Athletic Trainers Practice

1 Act is amended by changing Section 6 as follows:

2 (225 ILCS 5/6) (from Ch. 111, par. 7606)

3 (Section scheduled to be repealed on January 1, 2006)

4 Sec. 6. Athletic Training Board; appointment;  
5 membership; term; duties. The Director shall appoint an  
6 Illinois Board of Athletic Trainers as follows: 6 persons who  
7 shall be appointed by and shall serve in an advisory capacity  
8 to the Director. Two members must be licensed physicians; 3  
9 members must be registered athletic trainers in good  
10 standing, and actively engaged in the practice of athletic  
11 training in this State; and 1 member must be a public member  
12 who is not registered under this Act, or a similar Act of  
13 another jurisdiction, and is not a provider of athletic  
14 health care service.

15 Members shall serve 4 year terms and until their  
16 successors are appointed and qualified except that of the  
17 initial appointments, 1 member shall be appointed to serve  
18 for one year, 2 shall be appointed to serve for 2 years, 2  
19 shall be appointed to serve for 3 years, and the remaining  
20 one, who shall be the public member, shall be appointed to  
21 serve for 4 years, and until their successors are appointed  
22 and qualified. No member shall be reappointed to the Board  
23 for more than 2 terms. Appointments to fill vacancies shall  
24 be made in the same manner as original appointments, for the  
25 unexpired portion of the vacated term. Initial terms shall  
26 begin upon the effective date of this Act.

27 The membership of the Board should reasonably reflect  
28 representation from the geographic areas in this State.

29 Members of the Board shall receive no compensation for  
30 their service, but may be reimbursed for reasonable and  
31 necessary expenses incurred in the course of that service.

32 A member of the Board who experiences a significant  
33 financial hardship due to the loss of income on days of



1 attendance at meetings or while otherwise engaged in the  
2 business of the Board may be paid a hardship allowance, as  
3 determined by and subject to the approval of the Governor's  
4 Travel Control Board.

5 The Director may terminate the appointment of any member  
6 for cause which in the opinion of the Director reasonably  
7 justifies such termination.

8 The Director shall consider the recommendation of the  
9 Board on questions involving standards of professional  
10 conduct, discipline, and qualifications of candidates and  
11 license holders under this Act.

12 (Source: P.A. 91-827, eff. 6-13-00.)

13 Section 225-15. The Clinical Psychologist Licensing Act  
14 is amended by changing Section 7 as follows:

15 (225 ILCS 15/7) (from Ch. 111, par. 5357)

16 (Section scheduled to be repealed on January 1, 2007)

17 Sec. 7. Board. The Director shall appoint a Board that  
18 shall serve in an advisory capacity to the Director.

19 The Board shall consist of 7 persons, 4 of whom are  
20 licensed clinical psychologists, and actively engaged in the  
21 practice of clinical psychology, 2 of whom are licensed  
22 clinical psychologists and are full time faculty members of  
23 accredited colleges or universities who are engaged in  
24 training clinical psychologists, and one of whom is a public  
25 member who is not a licensed health care provider. In  
26 appointing members of the Board, the Director shall give due  
27 consideration to the adequate representation of the various  
28 fields of health care psychology such as clinical psychology,  
29 school psychology and counseling psychology. In appointing  
30 members of the Board, the Director shall give due  
31 consideration to recommendations by members of the profession  
32 of clinical psychology and by the State-wide organizations

1 representing the interests of clinical psychologists and  
2 organizations representing the interests of academic programs  
3 as well as recommendations by approved doctoral level  
4 psychology programs in the State of Illinois. The members  
5 shall be appointed for a term of 4 years. No member shall be  
6 eligible to serve for more than 2 full terms. Any  
7 appointment to fill a vacancy shall be for the unexpired  
8 portion of the term. A member appointed to fill a vacancy  
9 shall be eligible for reappointment to only one full term.  
10 The Director may remove any member for cause at any time  
11 prior to the expiration of his or her term.

12 The Board shall annually elect one of its members as  
13 chairperson and vice chairperson.

14 The members of the Board shall receive no compensation  
15 for their services, but shall be reimbursed for all  
16 authorized legitimate and necessary expenses incurred in  
17 attending the meetings of the Board. A member of the Board  
18 who experiences a significant financial hardship due to the  
19 loss of income on days of attendance at meetings or while  
20 otherwise engaged in the business of the Board may be paid a  
21 hardship allowance, as determined by and subject to the  
22 approval of the Governor's Travel Control Board.

23 The Director shall give due consideration to all  
24 recommendations of the Board. In the event the Director  
25 disagrees with or takes action contrary to the recommendation  
26 of the Board, he or she shall provide the Board with a  
27 written and specific explanation of his or her actions.

28 A majority of the Board members currently appointed shall  
29 constitute a quorum. A vacancy in the membership of the  
30 Board shall not impair the right of a quorum to perform all  
31 of the duties of the Board.

32 Members of the Board shall have no liability in any  
33 action based upon any disciplinary proceeding or other  
34 activity performed in good faith as a member of the Board.

1 The Director may terminate the appointment of any member  
2 for cause which in the opinion of the Director reasonably  
3 justifies such termination.

4 (Source: P.A. 89-702, eff. 7-1-97.)

5 Section 225-20. The Clinical Social Work and Social Work  
6 Practice Act is amended by changing Section 6 as follows:

7 (225 ILCS 20/6) (from Ch. 111, par. 6356)

8 (Section scheduled to be repealed on January 1, 2008)

9 Sec. 6. Social Work Examining and Disciplinary Board.

10 (1) The Director shall appoint a Social Work Examining  
11 and Disciplinary Board consisting of 9 persons who shall  
12 serve in an advisory capacity to the Director. The Board  
13 shall be composed of 5 licensed clinical social workers, one  
14 of whom shall be a certified school social worker, one of  
15 whom shall be employed in the private not-for-profit sector  
16 and one of whom shall serve as the chairperson, two licensed  
17 social workers, and 2 members of the public who are not  
18 regulated under this Act or a similar Act and who clearly  
19 represent consumer interests.

20 (2) Members shall serve for a term of 4 years and until  
21 their successors are appointed and qualified. No member  
22 shall be reappointed if such reappointment would cause that  
23 person's service on the Board to be longer than 8 successive  
24 years. Appointments to fill vacancies for the unexpired  
25 portion of a vacated term shall be made in the same manner as  
26 original appointments.

27 (3) The membership of the Board should reasonably  
28 reflect representation from different geographic areas of  
29 Illinois.

30 (4) The Director may terminate the appointment of any  
31 member for cause.

32 (5) The Director shall consider the recommendation of

1 the Board on all matters and questions relating to this Act.

2 (6) The Board is charged with the duties and  
3 responsibilities of recommending to the Director the adoption  
4 of all policies, procedures and rules which may be required  
5 or deemed advisable in order to perform the duties and  
6 functions conferred on the Board, the Director and the  
7 Department to carry out the provisions of this Act.

8 (7) The Board shall make recommendations on all matters  
9 relating to continuing education including the number of  
10 hours necessary for license renewal, waivers for those unable  
11 to meet such requirements and acceptable course content.  
12 Such recommendations shall not impose an undue burden on the  
13 Department or an unreasonable restriction on those seeking  
14 license renewal.

15 (8) The Board shall annually elect one of its members as  
16 chairperson and one as vice chairperson.

17 (9) Members of the Board shall receive no compensation  
18 for their service, but shall be reimbursed for all authorized  
19 legitimate and necessary expenses incurred in attending the  
20 meetings of the Board. A member of the Board who experiences  
21 a significant financial hardship due to the loss of income on  
22 days of attendance at meetings or while otherwise engaged in  
23 the business of the Board may be paid a hardship allowance,  
24 as determined by and subject to the approval of the  
25 Governor's Travel Control Board.

26 (10) A majority of the Board members currently appointed  
27 shall constitute a quorum. A vacancy in the membership of  
28 the Board shall not impair the right of a quorum to perform  
29 all of the duties of the Board.

30 (11) Members of the Board shall have no liability in an  
31 action based upon a disciplinary proceeding or other activity  
32 performed in good faith as a member of the Board.

33 (Source: P.A. 90-150, eff. 12-30-97.)

1 Section 225-25. The Illinois Dental Practice Act is  
2 amended by changing Section 6 and adding Section 8.2 as  
3 follows:

4 (225 ILCS 25/6) (from Ch. 111, par. 2306)

5 (Section scheduled to be repealed on January 1, 2006)

6 Sec. 6. Board of Dentistry - Report By Majority  
7 Required. There is created a Board of Dentistry, to be  
8 composed of persons designated from time to time by the  
9 Director, as follows:

10 Eleven persons, 8 of whom have been dentists for a period  
11 of 5 years or more; 2 of whom have been dental hygienists for  
12 a period of 5 years or more, and one public member. None of  
13 the members shall be employed by or be an officer of any  
14 dental college, or dental or dental hygiene department of any  
15 institution of learning. The dental hygienists shall not  
16 participate in the examination of applicants for licenses to  
17 practice dentistry. The public member shall not participate  
18 in the examination of applicants for licenses to practice  
19 dentistry or dental hygiene. The board shall annually elect  
20 a chairman who shall be a dentist.

21 Terms for all members shall be for 4 years. Partial  
22 terms over 2 years in length shall be considered as full  
23 terms. A member may be reappointed for a successive term,  
24 but no member shall serve more than 2 full terms in his or  
25 her lifetime.

26 The membership of the Board shall include only residents  
27 from various geographic areas of this State and shall include  
28 at least some graduates from various institutions of dental  
29 education in this State.

30 In making appointments to the Board the Director shall  
31 give due consideration to recommendations by organizations of  
32 the dental profession in Illinois, including the Illinois  
33 State Dental Society and Illinois Dental Hygienists

1 Association, and shall promptly give due notice to such  
2 organizations of any vacancy in the membership of the Board.  
3 The Director may terminate the appointment of any member for  
4 cause which in the opinion of the Director reasonably  
5 justifies such termination.

6 A vacancy in the membership of the Board shall not impair  
7 the right of a quorum to exercise all the rights and perform  
8 all the duties of the Board. Any action to be taken by the  
9 Board under this Act may be authorized by resolution at any  
10 regular or special meeting, and each such resolution shall  
11 take effect immediately. The Board shall meet at least  
12 quarterly. The Board may adopt all rules and regulations  
13 necessary and incident to its powers and duties under this  
14 Act.

15 The members of the Board shall receive no compensation  
16 for their service, but shall be reimbursed for ~~shall each~~  
17 ~~receive as compensation a reasonable sum as determined by the~~  
18 ~~Director for each day actually engaged in the duties of the~~  
19 ~~office,~~ and all legitimate and necessary expenses expense  
20 incurred in attending the meetings of the Board. A member of  
21 the Board who experiences a significant financial hardship  
22 due to the loss of income on days of attendance at meetings  
23 or while otherwise engaged in the business of the Board may  
24 be paid a hardship allowance, as determined by and subject to  
25 the approval of the Governor's Travel Control Board.

26 Members of the Board shall be immune from suit in any  
27 action based upon any disciplinary proceedings or other  
28 activities performed in good faith as members of the Board.

29 (Source: P.A. 91-594, eff. 1-1-00.)

30 (225 ILCS 25/8.2 new)

31 Sec. 8.2. Anesthesia Review Panel. Members of any panel  
32 created by the Department concerning the administration of  
33 anesthesia services shall receive no compensation for their

1 services, but shall be reimbursed for all ordinary and  
2 necessary expenses incurred in performing their duties as  
3 members. A member of the panel who experiences a significant  
4 financial hardship due to the loss of income on days of  
5 attendance at meetings or while otherwise engaged in the  
6 business of the panel may be paid a hardship allowance, as  
7 determined by and subject to the approval of the Governor's  
8 Travel Control Board.

9 Section 225-30. The Dietetic and Nutrition Services  
10 Practice Act is amended by changing Section 30 as follows:

11 (225 ILCS 30/30) (from Ch. 111, par. 8401-30)

12 (Section scheduled to be repealed on January 1, 2013)

13 (Text of Section before amendment by P.A. 92-642)

14 Sec. 30. Practice Board. The Director shall appoint a  
15 Dietetic and Nutrition Services Practice Board as follows:

16 Seven individuals who shall be appointed by and shall  
17 serve in an advisory capacity to the Director. Of these 7  
18 individuals, 4 members must be licensed under this Act and  
19 currently engaged in the practice of dietetics or nutrition  
20 services in the State of Illinois and must have been doing so  
21 for a minimum of 3 years, 2 of whom shall be licensed  
22 dietitians who are not also licensed as nutrition counselors  
23 under this Act and 2 of whom shall be licensed nutrition  
24 counselors who are not also licensed dietitians under this  
25 Act; one member must be a physician licensed to practice  
26 medicine in all of its branches; one member must be a  
27 licensed professional nurse; and one member must be a public  
28 member not licensed under this Act.

29 Members shall serve 3 year terms and until their  
30 successors are appointed and qualified, except the terms of  
31 the initial appointments. The initial appointments shall be  
32 served as follows: 2 members shall be appointed to serve for

1 one year, 2 shall be appointed to serve for 2 years, and the  
2 remaining members shall be appointed to serve for 3 years and  
3 until their successors are appointed and qualified. No  
4 member shall be reappointed to the Board for a term that  
5 would cause his or her continuous service on the Board to be  
6 longer than 8 years. Appointments to fill vacancies shall be  
7 made in the same manner as original appointments, for the  
8 unexpired portion of the vacated term. Initial terms shall  
9 begin upon the effective date of this Act and Board members  
10 in office on that date shall be appointed to specific terms  
11 as indicated in this Section.

12 The membership of the Board shall reasonably represent  
13 all the geographic areas in this State. Any time there is a  
14 vacancy on the Board, any professional association composed  
15 of persons licensed under this Act may recommend licensees to  
16 fill the vacancy to the Board for the appointment of  
17 licensees, the organization representing the largest number  
18 of licensed physicians for the appointment of physicians to  
19 the Board, and the organization representing the largest  
20 number of licensed professional nurses for the appointment of  
21 a nurse to the Board.

22 Members of the Board shall receive no compensation for  
23 their service, but may be reimbursed for reasonable and  
24 necessary expenses incurred in the course of that service.

25 A member of the Board who experiences a significant  
26 financial hardship due to the loss of income on days of  
27 attendance at meetings or while otherwise engaged in the  
28 business of the Board may be paid a hardship allowance, as  
29 determined by and subject to the approval of the Governor's  
30 Travel Control Board.

31 Members of the Board shall have no liability in any  
32 action based upon any disciplinary proceeding or other  
33 activity performed in good faith as members of the Board.

34 The Director shall have the authority to remove any



1 member of the Board from office for neglect of any duty  
2 required by law or for incompetency or unprofessional or  
3 dishonorable conduct.

4 The Director shall consider the recommendation of the  
5 Board on questions of standards of professional conduct,  
6 discipline, and qualifications of candidates or licensees  
7 under this Act.

8 (Source: P.A. 87-784; 87-1000.)

9 (Text of Section after amendment by P.A. 92-642)

10 Sec. 30. Practice Board. The Director shall appoint a  
11 Dietitian Nutritionist Practice Board as follows: 7  
12 individuals who shall be appointed by and shall serve in an  
13 advisory capacity to the Director. Of these 7 individuals, 4  
14 members must be licensed under this Act; one member must be a  
15 physician licensed to practice medicine in all of its  
16 branches; one member must be a licensed professional nurse;  
17 and one member must be a public member not licensed under  
18 this Act.

19 Members shall serve 3 year terms and until their  
20 successors are appointed and qualified, except the terms of  
21 the initial appointments. No member shall be reappointed to  
22 the Board for a term that would cause his or her continuous  
23 service on the Board to be longer than 8 years. Appointments  
24 to fill vacancies shall be made in the same manner as  
25 original appointments, for the unexpired portion of the  
26 vacated term. Initial terms shall begin upon the effective  
27 date of this Act and Board members in office on that date  
28 shall be appointed to specific terms as indicated in this  
29 Section.

30 The membership of the Board shall reasonably represent  
31 all the geographic areas in this State. Any time there is a  
32 vacancy on the Board, any professional association composed  
33 of persons licensed under this Act may recommend licensees to  
34 fill the vacancy to the Board for the appointment of

1 licensees, the organization representing the largest number  
2 of licensed physicians for the appointment of physicians to  
3 the Board, and the organization representing the largest  
4 number of licensed professional nurses for the appointment of  
5 a nurse to the Board.

6 Members of the Board shall receive no compensation for  
7 their service, but may be reimbursed for reasonable and  
8 necessary expenses incurred in the course of that service.

9 A member of the Board who experiences a significant  
10 financial hardship due to the loss of income on days of  
11 attendance at meetings or while otherwise engaged in the  
12 business of the Board may be paid a hardship allowance, as  
13 determined by and subject to the approval of the Governor's  
14 Travel Control Board.

15 Members of the Board shall have no liability in any  
16 action based upon any disciplinary proceeding or other  
17 activity performed in good faith as members of the Board.

18 The Director shall have the authority to remove any  
19 member of the Board from office for neglect of any duty  
20 required by law or for incompetency or unprofessional or  
21 dishonorable conduct.

22 The Director shall consider the recommendation of the  
23 Board on questions of standards of professional conduct,  
24 discipline, and qualifications of candidates or licensees  
25 under this Act.

26 (Source: P.A. 92-642, eff. 10-31-03.)

27 Section 225-37. The Environmental Health Practitioner  
28 Licensing Act is amended by changing Section 18 as follows:

29 (225 ILCS 37/18)

30 (Section scheduled to be repealed on January 1, 2007)

31 Sec. 18. Board of Environmental Health Practitioners.

32 The Board of Environmental Health Practitioners is created

1 and shall exercise its duties as provided in this Act. The  
2 Board shall consist of 5 members appointed by the Director.  
3 Of the 5 members, 3 shall be environmental health  
4 practitioners, one a Public Health Administrator who meets  
5 the minimum qualifications for public health personnel  
6 employed by full time local health departments as prescribed  
7 by the Illinois Department of Public Health and is actively  
8 engaged in the administration of a local health department  
9 within this State, and one member of the general public. In  
10 making the appointments to the Board, the Director shall  
11 consider the recommendations of related professional and  
12 trade associations including the Illinois Environmental  
13 Health Association and the Illinois Public Health Association  
14 and of the Director of Public Health. Each of the  
15 environmental health practitioners shall have at least 5  
16 years of full time employment in the field of environmental  
17 health practice before the date of appointment. Each  
18 appointee filling the seat of an environmental health  
19 practitioner appointed to the Board must be licensed under  
20 this Act.

21 The membership of the Board shall reasonably reflect  
22 representation from the various geographic areas of the  
23 State.

24 A vacancy in the membership of the Board shall not impair  
25 the right of a quorum to exercise all the rights and perform  
26 all the duties of the Board.

27 The members of the Board shall receive no compensation  
28 for their service, but shall be reimbursed for are--entitled  
29 ~~to--receive-as-compensation-a-reasonable-sum-as-determined-by~~  
30 ~~the-Director-for-each-day-actually-engaged-in-the--duties--of~~  
31 ~~the-office-and~~ all legitimate and necessary expenses incurred  
32 in attending the meetings of the Board. A member of the Board  
33 who experiences a significant financial hardship due to the  
34 loss of income on days of attendance at meetings or while

1 otherwise engaged in the business of the Board may be paid a  
2 hardship allowance, as determined by and subject to the  
3 approval of the Governor's Travel Control Board.

4 Members of the Board shall be immune from suit in any  
5 action based upon any disciplinary proceedings or other  
6 activities performed in good faith as members of the Board.

7 The Director may remove any member of the Board for any  
8 cause that, in the opinion of the Director, reasonably  
9 justifies termination.

10 (Source: P.A. 91-724, eff. 6-2-00; 91-798, eff. 7-9-00;  
11 92-837, eff. 8-22-02.)

12 Section 225-41. The Funeral Directors and Embalmers  
13 Licensing Code is amended by changing Section 15-5 as  
14 follows:

15 (225 ILCS 41/15-5) (from Ch. 111, par. 2825)

16 (Section scheduled to be repealed on January 1, 2013)

17 Sec. 15-5. Funeral Directors and Embalmers Licensing and  
18 Disciplinary Board. A Funeral Directors and Embalmers  
19 Licensing and Disciplinary Board is created and shall consist  
20 of 7 persons, 6 of whom are licensed to practice funeral  
21 directing and embalming in this State, and one who is a  
22 knowledgeable public member. Each member shall be appointed  
23 by the Director of the Department. The persons so appointed  
24 shall hold their offices for 4 years and until a qualified  
25 successor is appointed. All vacancies occurring shall be  
26 filled by the Director for the unexpired portion of the term  
27 rendered vacant. No member shall be eligible to serve for  
28 more than 2 full terms. Any appointee may be removed by the  
29 Director when in his or her discretion he or she finds  
30 removal to be in the public interest. The cause for removal  
31 must be set forth in writing. The Board shall annually select  
32 a chairman from its membership. The members of the Board

1 shall receive no compensation for their service, but shall be  
2 reimbursed for all legitimate and necessary expenses incurred  
3 in attending meetings of the Board. A member of the Board who  
4 experiences a significant financial hardship due to the loss  
5 of income on days of attendance at meetings or while  
6 otherwise engaged in the business of the Board may be paid a  
7 hardship allowance, as determined by and subject to the  
8 approval of the Governor's Travel Control Board.

9 The Board may meet as often as necessary to perform its  
10 duties under this Code, and shall meet at least once a year  
11 in Springfield, Illinois.

12 The members of the Board appointed and serving under the  
13 Funeral Directors and Embalmers Licensing Act of 1935 shall  
14 continue to serve under the Funeral Directors and Embalmers  
15 Licensing Code and until the expiration of their appointed  
16 terms. These members may be reappointed if eligible under  
17 this Section.

18 The Department may seek the advice and recommendations of  
19 the Board on any matter relating to the administration and  
20 enforcement of this Code.

21 The Department shall seek the advice and recommendations  
22 of the Board in connection with any rulemaking or  
23 disciplinary actions, including applications for restoration  
24 of revoked licenses. The Board shall have 60 days to respond  
25 to a Department request for advice and recommendations. If  
26 the Department fails to adopt, in whole or in part, a Board  
27 recommendation in connection with any rulemaking or  
28 disciplinary action, it shall provide a written explanation  
29 of its specific reasons for not adopting the Board  
30 recommendation. The written explanations shall be made  
31 available for public inspection.

32 The Department shall adopt all necessary and reasonable  
33 rules and regulations for the effective administration of  
34 this Code, and without limiting the foregoing, the Department

1 shall adopt rules and regulations:

2 (1) prescribing a method of examination of  
3 candidates;

4 (2) defining what shall constitute a school,  
5 college, university, department of a university or other  
6 institution to determine the reputability and good  
7 standing of these institutions by reference to a  
8 compliance with the rules and regulations; however, no  
9 school, college, university, department of a university  
10 or other institution that refuses admittance to  
11 applicants, solely on account of race, color, creed, sex  
12 or national origin shall be considered reputable and in  
13 good standing;

14 (3) establishing expiration dates and renewal  
15 periods for all licenses;

16 (4) prescribing a method of handling complaints and  
17 conducting hearings on proceedings to take disciplinary  
18 action under this Code; and

19 (5) providing for licensure by reciprocity.

20 (Source: P.A. 91-827, eff. 6-13-00.)

21 Section 225-51. The Home Medical Equipment and Services  
22 Provider License Act is amended by changing Section 25 as  
23 follows:

24 (225 ILCS 51/25)

25 (Section scheduled to be repealed on January 1, 2008)

26 Sec. 25. Home Medical Equipment and Services Board. The  
27 Director shall appoint a Home Medical Equipment and Services  
28 Board, in consultation with a state association representing  
29 the home medical equipment and services industry, to serve in  
30 an advisory capacity to the Director. The Board shall consist  
31 of 7 members. Four members shall be home medical equipment  
32 and services provider representatives, 2 of whom represent

1 businesses grossing less than \$500,000 per year in revenues,  
2 of whom represent businesses grossing \$500,000 or more per  
3 year in revenues, and at least one of whom shall also be a  
4 pharmacy-based provider. The 3 remaining members shall  
5 include one home care clinical specialist, one respiratory  
6 care practitioner, and one consumer of home medical equipment  
7 and services.

8 Members shall serve 4 year terms and until their  
9 successors are appointed and qualified, except that of the  
10 initial appointments, the consumer member shall be appointed  
11 to serve for one year, 2 members shall be appointed to serve  
12 for 2 years, 3 members shall be appointed to serve for 3  
13 years, and one member who is a home medical equipment and  
14 services provider representative shall be appointed to serve  
15 for 4 years, and until their successors are appointed and  
16 qualified. No member shall be reappointed to the Board for a  
17 term that would cause continuous service on the Board to  
18 exceed 8 years. Appointments to fill vacancies shall be made  
19 in the same manner as original appointments, for the  
20 unexpired portion of the vacated term.

21 The home medical equipment and services provider  
22 representatives appointed to the Board shall have engaged in  
23 the provision of home medical equipment and services or  
24 related home care services for at least 3 years prior to  
25 their appointment, shall be currently engaged in providing  
26 home medical equipment and services in the State of Illinois,  
27 and must have no record of convictions related to fraud or  
28 abuse under either State or federal law.

29 The membership of the Board should reasonably reflect  
30 representation from the geographic areas in this State.

31 The Board shall annually elect one of its members as  
32 chairperson and vice chairperson.

33 Members of the Board shall receive no compensation for  
34 their service, but ~~as--compensation--a--reasonable--sum--as~~

1 ~~determined--by--the-Director-for-each-day-actually-engaged-in~~  
2 ~~the-duties--of--the--office,--and~~ shall be reimbursed for  
3 authorized expenses incurred in performing the duties of the  
4 office. A member of the Board who experiences a significant  
5 financial hardship due to the loss of income on days of  
6 attendance at meetings or while otherwise engaged in the  
7 business of the Board may be paid a hardship allowance, as  
8 determined by and subject to the approval of the Governor's  
9 Travel Control Board.

10 The Director may terminate the appointment of any member  
11 for cause which in the opinion of the Director reasonably  
12 justifies the termination.

13 Through consultation with members of a state association  
14 for the home medical equipment and services industry, the  
15 Board may recommend to the Department rules that specify the  
16 medical equipment to be included under this Act, that set  
17 standards for the licensure, professional conduct, and  
18 discipline of entities that provide home medical equipment  
19 and services, and that govern the safety and quality of home  
20 medical equipment and services. The Director shall consider  
21 the recommendations of the Board.

22 Members of the Board shall be immune from suit in an  
23 action based upon any disciplinary proceedings or other  
24 activities performed in good faith as members of the Board.

25 A majority of Board members currently appointed shall  
26 constitute a quorum. A vacancy in the membership of the Board  
27 shall not impair the rights of a quorum to exercise the  
28 rights and perform all of the duties of the Board.

29 (Source: P.A. 90-532, eff. 11-14-97.)

30 Section 225-55. The Marriage and Family Therapy  
31 Licensing Act is amended by changing Section 25 as follows:

32 (225 ILCS 55/25) (from Ch. 111, par. 8351-25)



1 (Section scheduled to be repealed on January 1, 2008)

2 Sec. 25. Marriage and Family Therapy Licensing and  
3 Disciplinary Board.

4 (a) There is established within the Department the  
5 Marriage and Family Therapy Licensing and Disciplinary Board  
6 to be appointed by the Director. The Board shall be composed  
7 of 7 persons who shall serve in an advisory capacity to the  
8 Director. The Board shall elect a chairperson and a vice  
9 chairperson.

10 (b) In appointing members of the Board, the Director  
11 shall give due consideration to recommendations by members of  
12 the profession of marriage and family therapy and by the  
13 statewide organizations solely representing the interests of  
14 marriage and family therapists.

15 (c) Five members of the Board shall be marriage and  
16 family therapists who have been in active practice for at  
17 least 5 years immediately preceding their appointment, or  
18 engaged in the education and training of masters, doctoral,  
19 or post-doctoral students of marriage and family therapy, or  
20 engaged in marriage and family therapy research. Each  
21 marriage or family therapy teacher or researcher shall have  
22 spent the majority of the time devoted to the study or  
23 research of marriage and family therapy during the 2 years  
24 immediately preceding his or her appointment to the Board.  
25 The appointees shall be licensed under this Act.

26 (d) Two members shall be representatives of the general  
27 public who have no direct affiliation or work experience with  
28 the practice of marriage and family therapy and who clearly  
29 represent consumer interests.

30 (e) Board members shall be appointed for terms of 4  
31 years each, except that any person chosen to fill a vacancy  
32 shall be appointed only for the unexpired term of the Board  
33 member whom he or she shall succeed. Upon the expiration of  
34 this term of office, a Board member shall continue to serve

1 until a successor is appointed and qualified. No member shall  
2 be reappointed to the Board for a term that would cause  
3 continuous service on the Board to be longer than 8 years.

4 (f) The membership of the Board shall reasonably reflect  
5 representation from the various geographic areas of the  
6 State.

7 (g) Members of the Board shall be immune from suit in  
8 any action based upon any disciplinary proceedings or other  
9 activities performed in good faith as members of the Board.

10 (h) The Director may remove any member of the Board for  
11 any cause that, in the opinion of the Director, reasonably  
12 justifies termination.

13 (i) The Director may consider the recommendations of the  
14 Board on questions of standards of professional conduct,  
15 discipline, and qualification of candidates or licensees  
16 under this Act.

17 (j) The members of the Board shall receive no  
18 compensation for their service, but shall be reimbursed for  
19 all legitimate, necessary, and authorized expenses. A member  
20 of the Board who experiences a significant financial hardship  
21 due to the loss of income on days of attendance at meetings  
22 or while otherwise engaged in the business of the Board may  
23 be paid a hardship allowance, as determined by and subject to  
24 the approval of the Governor's Travel Control Board.

25 (k) A majority of the Board members currently appointed  
26 shall constitute a quorum. A vacancy in the membership of the  
27 Board shall not impair the right of a quorum to exercise all  
28 the rights and perform all the duties of the Board.

29 (Source: P.A. 90-61, eff. 12-30-97.)

30 Section 225-57. The Massage Licensing Act is amended by  
31 changing Section 35 as follows:

32 (225 ILCS 57/35)

1 (Section scheduled to be repealed on January 1, 2012)

2 Sec. 35. Massage Licensing Board.

3 (a) The Director shall appoint a Massage Licensing  
4 Board, which shall serve in an advisory capacity to the  
5 Director. The Board shall consist of 7 members, of whom 6  
6 shall be massage therapists with at least 3 years of  
7 experience in massage. One of the massage therapist members  
8 shall represent a massage therapy school from the private  
9 sector and one of the massage therapist members shall  
10 represent a massage therapy school from the public sector.  
11 One member of the Board shall be a member of the public who  
12 is not licensed under this Act or a similar Act in Illinois  
13 or another jurisdiction. Membership on the Board shall  
14 reasonably reflect the various massage therapy and non-exempt  
15 bodywork organizations. Membership on the Board shall  
16 reasonably reflect the geographic areas of the State.

17 (b) Members shall be appointed to a 3-year term, except  
18 that initial appointees shall serve the following terms: 2  
19 members including the non-voting member shall serve for one  
20 year, 2 members shall serve for 2 years, and 3 members shall  
21 serve for 3 years. A member whose term has expired shall  
22 continue to serve until his or her successor is appointed.  
23 No member shall be reappointed to the Board for a term that  
24 would cause his or her continuous service on the Board to  
25 exceed 9 years. Appointments to fill vacancies shall be made  
26 in the same manner as the original appointments for the  
27 unexpired portion of the vacated term.

28 (c) The members of the Board shall receive no  
29 compensation for their service, but shall be reimbursed are  
30 entitled--to--receive--compensation for all legitimate and  
31 necessary expenses incurred while attending Board and  
32 Department meetings. A member of the Board who experiences a  
33 significant financial hardship due to the loss of income on  
34 days of attendance at meetings or while otherwise engaged in

1 the business of the Board may be paid a hardship allowance,  
2 as determined by and subject to the approval of the  
3 Governor's Travel Control Board.

4 (d) Members of the Board shall be immune from suit in  
5 any action based upon any disciplinary proceedings or other  
6 activities performed in good faith as members of the Board.

7 (e) The Director shall consider the recommendations of  
8 the Board on questions involving the standards of  
9 professional conduct, discipline, and qualifications of  
10 candidates and licensees under this Act. Nothing shall limit  
11 the ability of the Board to provide recommendations to the  
12 Director in regard to any matter affecting the administration  
13 of this Act. The Director shall give due consideration to  
14 all recommendations of the Board. If the Director takes  
15 action contrary to a recommendation of the Board, the  
16 Director shall provide a written explanation of that action.

17 (f) The Director may terminate the appointment of any  
18 member for cause which, in the opinion of the Director  
19 reasonably justifies termination, which may include, but is  
20 not limited to, a Board member who does not attend 2

21 (Source: P.A. 92-860, eff. 6-1-03.)

22 Section 225-60. The Medical Practice Act of 1987 is  
23 amended by changing Sections 7 and 8 as follows:

24 (225 ILCS 60/7) (from Ch. 111, par. 4400-7)

25 (Section scheduled to be repealed on January 1, 2007)

26 Sec. 7. Medical Disciplinary Board.

27 (A) There is hereby created the Illinois State Medical  
28 Disciplinary Board (hereinafter referred to as the  
29 "Disciplinary Board"). The Disciplinary Board shall consist  
30 of 9 members, to be appointed by the Governor by and with the  
31 advice and consent of the Senate. All shall be residents of  
32 the State, not more than 5 of whom shall be members of the

1 same political party. Five members shall be physicians  
2 licensed to practice medicine in all of its branches in  
3 Illinois possessing the degree of doctor of medicine. Two  
4 shall be members of the public, who shall not be engaged in  
5 any way, directly or indirectly, as providers of health care.  
6 The 2 public members shall act as nonvoting, ex-officio  
7 members and shall not be considered in determining the  
8 existence, or lack of existence, of a quorum for all purposes  
9 for which a quorum may be called pursuant to this Act. One  
10 member shall be a physician licensed to practice in Illinois  
11 possessing the degree of doctor of osteopathy or osteopathic  
12 medicine. One member shall be a physician licensed to  
13 practice in Illinois and possessing the degree of doctor of  
14 chiropractic.

15 (B) Members of the Disciplinary Board shall be appointed  
16 for terms of 4 years. Upon the expiration of the term of any  
17 member, their successor shall be appointed for a term of 4  
18 years by the Governor by and with the advice and consent of  
19 the Senate. The Governor shall fill any vacancy for the  
20 remainder of the unexpired term by and with the advice and  
21 consent of the Senate. Upon recommendation of the Board, any  
22 member of the Disciplinary Board may be removed by the  
23 Governor for misfeasance, malfeasance, or wilful neglect of  
24 duty, after notice, and a public hearing, unless such notice  
25 and hearing shall be expressly waived in writing. Each  
26 member shall serve on the Disciplinary Board until their  
27 successor is appointed and qualified. No member of the  
28 Disciplinary Board shall serve more than 2 consecutive 4 year  
29 terms.

30 In making appointments the Governor shall attempt to  
31 insure that the various social and geographic regions of the  
32 State of Illinois are properly represented.

33 In making the designation of persons to act for the  
34 several professions represented on the Disciplinary Board,

1 the Governor shall give due consideration to recommendations  
2 by members of the respective professions and by organizations  
3 therein.

4 (C) The Disciplinary Board shall annually elect one of  
5 its voting members as chairperson and one as vice  
6 chairperson. No officer shall be elected more than twice in  
7 succession to the same office. Each officer shall serve  
8 until their successor has been elected and qualified.

9 (D) (Blank).

10 (E) Four voting members of the Disciplinary Board shall  
11 constitute a quorum. A vacancy in the membership of the  
12 Disciplinary Board shall not impair the right of a quorum to  
13 exercise all the rights and perform all the duties of the  
14 Disciplinary Board. Any action taken by the Disciplinary  
15 Board under this Act may be authorized by resolution at any  
16 regular or special meeting and each such resolution shall  
17 take effect immediately. The Disciplinary Board shall meet  
18 at least quarterly. The Disciplinary Board is empowered to  
19 adopt all rules and regulations necessary and incident to the  
20 powers granted to it under this Act.

21 (F) Members shall receive no compensation for their  
22 service, but ~~Each--member,--and--member-officer,--of--the~~  
23 ~~Disciplinary--Board--shall--receive--a--per--diem--stipend--as--the~~  
24 ~~Director--of--the--Department,--hereinafter--referred--to--as--the~~  
25 ~~Director,--shall--determine.--The--Director--shall--also--determine~~  
26 ~~the--per--diem--stipend--that--each--ex--officio--member--shall~~  
27 ~~receive.--Each--member~~ shall be paid their necessary expenses  
28 while engaged in the performance of their duties. A member of  
29 the Board who experiences a significant financial hardship  
30 due to the loss of income on days of attendance at meetings  
31 or while otherwise engaged in the business of the Board may  
32 be paid a hardship allowance, as determined by and subject to  
33 the approval of the Governor's Travel Control Board.

34 (G) The Director shall select a Chief Medical

1 Coordinator and a Deputy Medical Coordinator who shall not be  
2 members of the Disciplinary Board. Each medical coordinator  
3 shall be a physician licensed to practice medicine in all of  
4 its branches, and the Director shall set their rates of  
5 compensation. The Director shall assign one medical  
6 coordinator to a region composed of Cook County and such  
7 other counties as the Director may deem appropriate, and such  
8 medical coordinator shall locate their office in Chicago.  
9 The Director shall assign the remaining medical coordinator  
10 to a region composed of the balance of counties in the State,  
11 and such medical coordinator shall locate their office in  
12 Springfield. Each medical coordinator shall be the chief  
13 enforcement officer of this Act in their assigned region and  
14 shall serve at the will of the Disciplinary Board.

15 The Director shall employ, in conformity with the  
16 Personnel Code, not less than one full time investigator for  
17 every 5000 physicians licensed in the State. Each  
18 investigator shall be a college graduate with at least 2  
19 years' investigative experience or one year advanced medical  
20 education. Upon the written request of the Disciplinary  
21 Board, the Director shall employ, in conformity with the  
22 Personnel Code, such other professional, technical,  
23 investigative, and clerical help, either on a full or  
24 part-time basis as the Disciplinary Board deems necessary for  
25 the proper performance of its duties.

26 (H) Upon the specific request of the Disciplinary Board,  
27 signed by either the chairman, vice chairman, or a medical  
28 coordinator of the Disciplinary Board, the Department of  
29 Human Services or the Department of State Police shall make  
30 available any and all information that they have in their  
31 possession regarding a particular case then under  
32 investigation by the Disciplinary Board.

33 (I) Members of the Disciplinary Board shall be immune  
34 from suit in any action based upon any disciplinary

1 proceedings or other acts performed in good faith as members  
2 of the Disciplinary Board.

3 (J) The Disciplinary Board may compile and establish a  
4 statewide roster of physicians and other medical  
5 professionals, including the several medical specialties, of  
6 such physicians and medical professionals, who have agreed to  
7 serve from time to time as advisors to the medical  
8 coordinators. Such advisors shall assist the medical  
9 coordinators in their investigations and participation in  
10 complaints against physicians. Such advisors shall serve  
11 under contract and shall be reimbursed at a reasonable rate  
12 for the services provided, plus reasonable expenses incurred.  
13 While serving in this capacity, the advisor, for any act  
14 undertaken in good faith and in the conduct of their duties  
15 under this Section, shall be immune from civil suit.

16 (Source: P.A. 89-507, eff. 7-1-97; 89-702, eff. 7-1-97.)

17 (225 ILCS 60/8) (from Ch. 111, par. 4400-8)  
18 (Section scheduled to be repealed on January 1, 2007)  
19 Sec. 8. Medical Licensing Board.

20 (A) There is hereby created a Medical Licensing Board  
21 (hereinafter referred to as the "Licensing Board"). The  
22 Licensing Board shall be composed of 7 members, to be  
23 appointed by the Governor by and with the advice and consent  
24 of the Senate; 5 of whom shall be reputable physicians  
25 licensed to practice medicine in all of its branches in  
26 Illinois, possessing the degree of doctor of medicine; one  
27 member shall be a reputable physician licensed in Illinois to  
28 practice medicine in all of its branches, possessing the  
29 degree of doctor of osteopathy or osteopathic medicine; and  
30 one member shall be a reputable physician licensed to  
31 practice in Illinois and possessing the degree of doctor of  
32 chiropractic. Of the 5 members holding the degree of doctor  
33 of medicine, one shall be a full-time or part-time teacher of



1 professorial rank in the clinical department of an Illinois  
2 school of medicine.

3 (B) Members of the Licensing Board shall be appointed  
4 for terms of 4 years, and until their successors are  
5 appointed and qualified. Appointments to fill vacancies  
6 shall be made in the same manner as original appointments,  
7 for the unexpired portion of the vacated term. No more than  
8 4 members of the Licensing Board shall be members of the same  
9 political party and all members shall be residents of this  
10 State. No member of the Licensing Board may be appointed to  
11 more than 2 successive 4 year terms. This limitation shall  
12 only apply to individuals appointed to the Licensing Board  
13 after the effective date of this Act.

14 (C) Members of the Licensing Board shall be immune from  
15 suit in any action based upon any licensing proceedings or  
16 other acts performed in good faith as members of the  
17 Licensing Board.

18 (D) (Blank).

19 (E) The Licensing Board shall annually elect one of its  
20 members as chairperson and one as vice chairperson. No  
21 member shall be elected more than twice in succession to the  
22 same office. Each officer shall serve until their successor  
23 has been elected and qualified.

24 (F) None of the functions, powers or duties of the  
25 Department with respect to policies regarding licensure and  
26 examination under this Act, including the promulgation of  
27 such rules as may be necessary for the administration of this  
28 Act, shall be exercised by the Department except upon review  
29 of the Licensing Board.

30 (G) Members shall receive no compensation for their  
31 service, but shall be reimbursed for their necessary expenses  
32 while engaged in the performance of their duties. A member  
33 of the Board who experiences a significant financial hardship  
34 due to the loss of income on days of attendance at meetings

1 or while otherwise engaged in the business of the Board may  
2 be paid a hardship allowance, as determined by and subject to  
3 the approval of the Governor's Travel Control Board. The  
4 ~~Licensing Board shall receive the same compensation as the~~  
5 ~~members of the Medical Disciplinary Board, which compensation~~  
6 ~~shall be paid out of the Illinois State Medical Disciplinary~~  
7 ~~Fund.~~

8 (Source: P.A. 89-702, eff. 7-1-97.)

9 Section 225-63. The Naprapathic Practice Act is amended  
10 by changing Section 50 as follows:

11 (225 ILCS 63/50)

12 (Section scheduled to be repealed on January 1, 2013)

13 Sec. 50. Naprapathic Examining Committee. The Director  
14 shall appoint a Naprapathic Examining Committee to consist of  
15 7 persons who shall be appointed by and shall serve in an  
16 advisory capacity to the Director. Five members must hold an  
17 active license to engage in the practice of naprapathy in  
18 this State, one member shall be a physician licensed to  
19 practice medicine in all of its branches in Illinois, and one  
20 member must be a member of the public who is not licensed  
21 under this Act or a similar Act of another jurisdiction or  
22 has no connection with the profession. Neither the public  
23 member nor the physician member shall participate in the  
24 preparation or administration of the examination of  
25 applicants for licensure.

26 Members shall serve 4 year terms and until their  
27 successors are appointed and qualified. No member shall be  
28 reappointed to the Committee for a term that would cause his  
29 or her continuous service on the Committee to be longer than  
30 8 consecutive years. Appointments to fill vacancies shall be  
31 made in the same manner as original appointments, for the  
32 unexpired portion of the vacated term. Initial terms shall

1 begin upon the effective date of this Act. Committee members  
2 in office on that date shall be appointed to specific terms  
3 as indicated in this Section.

4 The Committee shall annually elect a chairman and a  
5 vice-chairman who shall preside in the absence of the  
6 chairman.

7 The membership of the Committee should reasonably reflect  
8 representation from the geographic areas in this State.

9 Members of the Committee shall receive no compensation  
10 for their service, but may be reimbursed for reasonable and  
11 necessary expenses incurred in the course of that service.

12 A member of the Committee who experiences a significant  
13 financial hardship due to the loss of income on days of  
14 attendance at meetings or while otherwise engaged in the  
15 business of the Committee may be paid a hardship allowance,  
16 as determined by and subject to the approval of the  
17 Governor's Travel Control Board.

18 The Director may terminate the appointment of any member  
19 for cause.

20 The Director may give due consideration to all  
21 recommendations of the Committee.

22 Without limiting the power of the Department to conduct  
23 investigations in any manner, the Committee may recommend to  
24 the Director that one or more licensed naprapaths be selected  
25 by the Director to conduct or assist in any investigation  
26 under this Act. A licensed naprapath so selected may receive  
27 remuneration as determined by the Director.

28 (Source: P.A. 92-655, eff. 7-16-02.)

29 Section 225-65. The Nursing and Advanced Practice  
30 Nursing Act is amended by changing Sections 10-25 and 15-35  
31 as follows:

32 (225 ILCS 65/10-25)

1 (Section scheduled to be repealed on January 1, 2008)

2 Sec. 10-25. Board.

3 (a) The Director shall appoint the Board of Nursing  
4 which, beginning January 1, 2000, shall be composed of 7  
5 registered professional nurses, 2 licensed practical nurses  
6 and one public member who shall also be a voting member and  
7 who is not a licensed health care provider. Two registered  
8 nurses shall hold at least a master's degree in nursing and  
9 be educators in professional nursing programs, one  
10 representing baccalaureate nursing education, one  
11 representing associate degree nursing education; one  
12 registered nurse shall hold at least a bachelor's degree with  
13 a major in nursing and be an educator in a licensed practical  
14 nursing program; one registered nurse shall hold a master's  
15 degree in nursing and shall represent nursing service  
16 administration; 2 registered nurses shall represent clinical  
17 nursing practice, one of whom shall have at least a master's  
18 degree in nursing; and, until January 1, 2000, 2 registered  
19 nurses shall represent advanced specialty practice. Each of  
20 the nurses shall have had a minimum of 5 years experience in  
21 nursing, 3 of which shall be in the area they represent on  
22 the Board and be actively engaged in the area of nursing they  
23 represent at the time of appointment and during their tenure  
24 on the Board. Members shall be appointed for a term of 3  
25 years. No member shall be eligible for appointment to more  
26 than 2 consecutive terms and any appointment to fill a  
27 vacancy shall be for the unexpired portion of the term. In  
28 making Board appointments, the Director shall give  
29 consideration to recommendations submitted by nursing  
30 organizations. Consideration shall be given to equal  
31 geographic representation.

32 Members of the Board shall receive no compensation for  
33 their service, but shall receive actual and necessary  
34 expenses incurred in the performance of their duties. A

1 member of the Board who experiences a significant financial  
2 hardship due to the loss of income on days of attendance at  
3 meetings or while otherwise engaged in the business of the  
4 Board may be paid a hardship allowance, as determined by and  
5 subject to the approval of the Governor's Travel Control  
6 Board.

7 In making the initial appointments, the Director shall  
8 appoint all new members for terms of 2, 3, and 4 years and  
9 such terms shall be staggered as follows: 3 shall be  
10 appointed for terms of 2 years; 3 shall be appointed for  
11 terms of 3 years; and 3 shall be appointed for terms of 4  
12 years.

13 The Director may remove any member of the Board for  
14 misconduct, incapacity, or neglect of duty. The Director  
15 shall reduce to writing any causes for removal.

16 The Board shall meet annually to elect a chairperson and  
17 vice chairperson. The Board may hold such other meetings  
18 during the year as may be necessary to conduct its business.  
19 Six voting members of the Board shall constitute a quorum at  
20 any meeting. Any action taken by the Board must be on the  
21 affirmative vote of 6 members. Voting by proxy shall not be  
22 permitted.

23 The Board shall submit an annual report to the Director.

24 The members of the Board shall be immune from suit in any  
25 action based upon any disciplinary proceedings or other acts  
26 performed in good faith as members of the Board.

27 (b) The Board is authorized to:

28 (1) recommend the adoption and, from time to time,  
29 the revision of such rules that may be necessary to carry  
30 out the provisions of this Act;

31 (2) conduct hearings and disciplinary conferences  
32 upon charges calling for discipline of a licensee as  
33 provided in Section 10-45;

34 (3) report to the Department, upon completion of a

1 hearing, the disciplinary actions recommended to be taken  
2 against persons violating this Act;

3 (4) recommend the approval, denial of approval,  
4 withdrawal of approval, or discipline of nursing  
5 education programs;

6 (5) participate in a national organization of state  
7 boards of nursing; and

8 (6) recommend a list of the registered nurses to  
9 serve as Nursing Act Coordinator and Assistant Nursing  
10 Act Coordinator, respectively.

11 (Source: P.A. 90-61, eff. 12-30-97; 90-742, eff. 8-13-98;  
12 91-414, eff. 8-6-99.)

13 (225 ILCS 65/15-35)

14 (Section scheduled to be repealed on January 1, 2008)

15 Sec. 15-35. Advanced Practice Nursing Board.

16 (a) There is hereby established an Advanced Practice  
17 Nursing Board, hereinafter referred to as the "APN Board".  
18 The APN Board shall review and make recommendations to the  
19 Department regarding matters relating to licensure and  
20 discipline of advanced practice nurses. The APN Board shall  
21 be composed of 9 members to be appointed by the Governor, 4  
22 of whom shall be advanced practice nurses and 3 of whom shall  
23 be physicians licensed to practice medicine in all its  
24 branches. The 4 advanced practice nurses shall have  
25 collaborative agreements, except that any certified  
26 registered nurse anesthetist is not required to have a  
27 collaborative agreement. The 3 physicians shall have  
28 collaborative agreements, except that an anesthesiologist is  
29 not required to have a collaborative agreement. In making  
30 appointments to the APN Board, the Governor shall give due  
31 consideration to recommendations by statewide professional  
32 associations or societies representing nurses and physicians  
33 in Illinois. Two members, not employed or having any

1 material interest in any health care field, shall represent  
2 the public. The chairperson of the APN Board shall be a  
3 member elected by a majority vote of the APN Board. The APN  
4 Board shall meet and report to the Department quarterly and  
5 as advanced practice nurse issues arise.

6 Initial appointments to the APN Board shall be made  
7 within 90 days after the effective date of this amendatory  
8 Act of 1998. The terms of office of each of the original  
9 members shall be at staggered intervals. One physician and  
10 one advanced practice nurse shall serve one-year terms. One  
11 physician and one advanced practice nurse shall serve 2-year  
12 terms. One physician and one advanced practice nurse shall  
13 serve 3-year terms. One advanced practice nurse and the  
14 public members shall serve 4-year terms. Upon the expiration  
15 of the term of an initial member, his or her successor shall  
16 be appointed for a term of 4 years. No member shall serve  
17 more than 2 consecutive terms, excluding initial appointment  
18 terms. An appointment to fill a vacancy shall be for the  
19 unexpired portion of the term. Members of the APN Board  
20 shall receive no compensation for their service, but shall be  
21 reimbursed for all authorized legitimate and necessary  
22 expenses incurred in attending the meetings of the APN Board.  
23 A member of the Board who experiences a significant financial  
24 hardship due to the loss of income on days of attendance at  
25 meetings or while otherwise engaged in the business of the  
26 Board may be paid a hardship allowance, as determined by and  
27 subject to the approval of the Governor's Travel Control  
28 Board.

29 A majority of the APN Board members appointed shall  
30 constitute a quorum.

31 A vacancy in the membership of the APN Board shall not  
32 impair the right of a quorum to perform all of the duties of  
33 the APN Board.

34 A member of the APN Board shall have no liability in an

1 action based upon a disciplinary proceeding or other activity  
2 performed in good faith as a member of the APN Board.

3 (b) Complaints received concerning advanced practice  
4 nurses shall be reviewed by the APN Board. Complaints  
5 received concerning collaborating physicians shall be  
6 reviewed by the Medical Disciplinary Board.

7 (Source: P.A. 90-742, eff. 8-13-98; 91-414, eff. 8-6-99.)

8 Section 225-70. The Nursing Home Administrators Licensing  
9 and Disciplinary Act is amended by changing Section 5 as  
10 follows:

11 (225 ILCS 70/5) (from Ch. 111, par. 3655)

12 (Section scheduled to be repealed on January 1, 2008)

13 Sec. 5. Board.

14 (a) There is hereby created the Nursing Home  
15 Administrators Licensing and Disciplinary Board. The Board  
16 shall consist of 9 members appointed by the Governor. All  
17 shall be residents of the State of Illinois. Three members  
18 shall be representatives of the general public. Six members  
19 shall be nursing home administrators who for at least 5 years  
20 prior to their appointments were licensed under this Act.  
21 The public members shall have no responsibility for  
22 management or formation of policy of, nor any financial  
23 interest in, nursing homes as defined in this Act, nor any  
24 other connection with the profession. In appointing licensed  
25 nursing home administrators, the Governor shall take into  
26 consideration the recommendations of the nursing home  
27 professional associations.

28 (b) Members shall be appointed for a term of 4 years by  
29 the Governor. The Governor shall fill any vacancy for the  
30 remainder of the unexpired term. Any member of the Board may  
31 be removed by the Governor for cause. Each member shall  
32 serve on the Board until his or her successor is appointed



1 and qualified. No member of the Board shall serve more than  
2 2 consecutive 4 year terms.

3 In making appointments the Governor shall attempt to  
4 insure that the various geographic regions of the State of  
5 Illinois are properly represented.

6 (c) The Board shall annually elect one of its members as  
7 chairperson and one as vice chairperson. No officer shall be  
8 elected more than twice in succession to the same office.  
9 Each officer shall serve until his or her successor has been  
10 elected and qualified.

11 (d) A majority of the Board members currently appointed  
12 shall constitute a quorum. A vacancy in the membership of the  
13 Board shall not impair the right of a quorum to exercise all  
14 the rights and perform all the duties of the Board.

15 (e) Members of the Board shall receive no compensation  
16 for their service, but ~~Each-member-and-member-officer-of-the~~  
17 ~~Board-shall-receive-a-per-diem-stipend-as-the-Direector--shall~~  
18 ~~determine.----Each--member~~ shall be paid their necessary  
19 expenses while engaged in the performance of their ~~his-or-her~~  
20 duties. A member of the Board who experiences a significant  
21 financial hardship due to the loss of income on days of  
22 attendance at meetings or while otherwise engaged in the  
23 business of the Board may be paid a hardship allowance, as  
24 determined by and subject to the approval of the Governor's  
25 Travel Control Board.

26 (f) (Blank).

27 (g) (Blank).

28 (h) Members of the Board shall be immune from suit in  
29 any action based upon any disciplinary proceedings or other  
30 acts performed in good faith as members of the Board.

31 (i) (Blank).

32 (j) The Director shall give due consideration to all  
33 recommendations of the Board. If the Director disagrees with  
34 or takes action contrary to the recommendation of the Board,

1 he or she shall provide the Board with a written and specific  
2 explanation of his or her action.

3 (Source: P.A. 89-507, eff. 7-1-97; 90-61, eff. 12-30-97.)

4 Section 225-75. The Illinois Occupational Therapy  
5 Practice Act is amended by changing Section 5 as follows:

6 (225 ILCS 75/5) (from Ch. 111, par. 3705)

7 (Section scheduled to be repealed on December 31, 2003)

8 Sec. 5. The Director shall appoint an Illinois  
9 Occupational Therapy Board as follows: 7 persons who shall  
10 be appointed by and shall serve in an advisory capacity to  
11 the Director. 1 member must be a physician licensed to  
12 practice medicine in all of its branches; 3 members must be  
13 registered occupational therapists in good standing, and  
14 actively engaged in the practice of occupational therapy in  
15 this State; 2 members must be certified occupational therapy  
16 assistants in good standing and actively engaged in the  
17 practice of occupational therapy in this State; and 1 member  
18 must be a public member who is not licensed under this Act,  
19 or a similar Act of another jurisdiction, and is not a  
20 provider of health care service.

21 Members shall serve 4 year terms and until their  
22 successors are appointed and qualified. No member shall be  
23 appointed under this or any prior Act to the Board for  
24 service which would constitute more than 2 full terms.  
25 Appointments to fill vacancies shall be made in the same  
26 manner as original appointments, for the unexpired portion of  
27 the vacated term. Initial terms shall begin upon the  
28 effective date of this Act.

29 Members of the Board shall receive no compensation for  
30 their service, but may be reimbursed for reasonable and  
31 necessary expenses incurred in the course of that service.

32 A member of the Board who experiences a significant

1 financial hardship due to the loss of income on days of  
2 attendance at meetings or while otherwise engaged in the  
3 business of the Board may be paid a hardship allowance, as  
4 determined by and subject to the approval of the Governor's  
5 Travel Control Board.

6 The membership of the Board should reasonably reflect  
7 representation from the geographic areas in this State.

8 The Director may terminate the appointment of any member  
9 for cause which in the opinion of the Director reasonably  
10 justifies such termination.

11 The Director shall consider the recommendations of the  
12 Board on questions involving standards of professional  
13 conduct, discipline and qualifications of candidates and  
14 license holders under this Act.

15 (Source: P.A. 88-424.)

16 Section 225-80. The Illinois Optometric Practice Act of  
17 1987 is amended by changing Section 11 as follows:

18 (225 ILCS 80/11) (from Ch. 111, par. 3911)

19 (Section scheduled to be repealed on January 1, 2007)

20 Sec. 11. Optometric Licensing and Disciplinary Board.  
21 The Director shall appoint an Illinois Optometric Licensing  
22 and Disciplinary Board as follows: Seven persons who shall be  
23 appointed by and shall serve in an advisory capacity to the  
24 Director. Five members must be lawfully and actively engaged  
25 in the practice of optometry in this State, one member shall  
26 be a licensed optometrist who is a member, with a full-time  
27 faculty appointment with the Illinois College of Optometry,  
28 and one member must be a member of the public who shall be a  
29 voting member and is not licensed under this Act, or a  
30 similar Act of another jurisdiction, or have any connection  
31 with the profession. Neither the public member nor the  
32 faculty member shall participate in the preparation or

1 administration of the examination of applicants for licensure  
2 or certification.

3 Members shall serve 4-year terms and until their  
4 successors are appointed and qualified. No member shall be  
5 appointed to the Board for more than 2 successive 4-year  
6 terms, not counting any partial terms when appointed to fill  
7 the unexpired portion of a vacated term. Appointments to  
8 fill vacancies shall be made in the same manner as original  
9 appointments, for the unexpired portion of the vacated term.  
10 Initial terms shall begin upon the effective date of this  
11 Act. Board members in office on that date may be appointed  
12 to specific terms as indicated herein.

13 The Board shall annually elect a chairperson and a  
14 vice-chairperson, both of whom shall be licensed  
15 optometrists.

16 The membership of the Board should reasonably reflect  
17 representation from the geographic areas in this State.

18 Members of the Board shall receive no compensation for  
19 their service, but may be reimbursed for reasonable and  
20 necessary expenses incurred in the course of that service.

21 A member of the Board who experiences a significant  
22 financial hardship due to the loss of income on days of  
23 attendance at meetings or while otherwise engaged in the  
24 business of the Board may be paid a hardship allowance, as  
25 determined by and subject to the approval of the Governor's  
26 Travel Control Board.

27 A majority of the Board members currently appointed shall  
28 constitute a quorum. A vacancy in the membership of the  
29 Board shall not impair the right of a quorum to perform all  
30 of the duties of the Board.

31 The Director may terminate the appointment of any member  
32 for cause.

33 The Director shall give due consideration to all  
34 recommendations of the Board, and in the event that the

1 Director disagrees with or takes action contrary to the  
2 recommendation of the Board, he or she shall provide the  
3 Board with a written and specific explanation of this action.  
4 None of the functions, powers or duties of the Department  
5 with respect to policy matters relating to licensure,  
6 discipline, and examination, including the promulgation of  
7 such rules as may be necessary for the administration of this  
8 Act, shall be exercised by the Department except upon review  
9 of the Board.

10 Without, in any manner, limiting the power of the  
11 Department to conduct investigations, the Board may recommend  
12 to the Director that one or more licensed optometrists be  
13 selected by the Director to conduct or assist in any  
14 investigation pursuant to this Act. Such licensed  
15 optometrist may receive remuneration as determined by the  
16 Director.

17 (Source: P.A. 91-141, eff. 7-16-99.)

18 Section 225-84. The Orthotics, Prosthetics, and  
19 Pedorthics Practice Act is amended by changing Section 25 as  
20 follows:

21 (225 ILCS 84/25)

22 (Section scheduled to be repealed on January 1, 2010)

23 Sec. 25. Board of Orthotics, Prosthetics, and  
24 Pedorthics.

25 (a) There is established a Board of Orthotics,  
26 Prosthetics, and Pedorthics, which shall consist of 6 voting  
27 members to be appointed by the Director. Three members shall  
28 be practicing licensed orthotists, licensed prosthetists, or  
29 licensed pedorthists. These members may be licensed in more  
30 than one discipline and their appointments must equally  
31 represent all 3 disciplines. One member shall be a member of  
32 the public who is a consumer of orthotic, prosthetic, or

1 pedorthic professional services. One member shall be a  
2 public member who is not licensed under this Act or a  
3 consumer of services licensed under this Act. One member  
4 shall be a licensed physician.

5 (b) Each member of the Board shall serve a term of 3  
6 years, except that of the initial appointments to the Board,  
7 2 members shall be appointed for one year, 2 members shall be  
8 appointed for 2 years, and 2 members shall be appointed for 3  
9 years. Each member shall hold office and execute his or her  
10 Board responsibilities until the qualification and  
11 appointment of his or her successor. No member of the Board  
12 shall serve more than 8 consecutive years or 2 full terms,  
13 whichever is greater.

14 (c) Members of the Board shall receive no compensation  
15 for their service, but as-compensation-a--reasonable--sum--as  
16 determined--by--the-Director-for-each-day-actually-engaged-in  
17 the--duties--of--the--office--and shall be reimbursed for  
18 reasonable expenses incurred in performing the duties of the  
19 office. A member of the Board who experiences a significant  
20 financial hardship due to the loss of income on days of  
21 attendance at meetings or while otherwise engaged in the  
22 business of the Board may be paid a hardship allowance, as  
23 determined by and subject to the approval of the Governor's  
24 Travel Control Board.

25 (d) A quorum of the Board shall consist of a majority of  
26 Board members currently appointed.

27 (e) The Director may terminate the appointment of any  
28 member for cause which, in the opinion of the Director  
29 reasonably justifies termination, which may include, but is  
30 not limited to, a Board member who does not attend 2  
31 consecutive meetings.

32 (f) Membership of the Board should reasonably reflect  
33 representation from the geographic areas in this State.

34 (Source: P.A. 91-590, eff. 1-1-00.)

1 Section 225-85. The Pharmacy Practice Act of 1987 is  
2 amended by changing Section 10 as follows:

3 (225 ILCS 85/10) (from Ch. 111, par. 4130)

4 (Section scheduled to be repealed on January 1, 2008)

5 (Text of Section before amendment by P.A. 92-880)

6 Sec. 10. State Board of Pharmacy. There is created in the  
7 Department the State Board of Pharmacy. It shall consist of  
8 9 members, 7 of whom shall be licensed pharmacists. Each of  
9 those 7 members must be a licensed pharmacist in good  
10 standing in this State, a graduate of an accredited college  
11 of pharmacy or hold a Bachelor of Science degree in Pharmacy  
12 and have at least 5 years' practical experience in the  
13 practice of pharmacy subsequent to the date of his licensure  
14 as a licensed pharmacist in the State of Illinois. There  
15 shall be 2 public members, who shall be voting members, who  
16 shall not be licensed pharmacists in this State or any other  
17 state.

18 Each member shall be appointed by the Governor.

19 The terms of all members serving as of March 31, 1999  
20 shall expire on that date. The Governor shall appoint 3  
21 persons to serve one-year terms, 3 persons to serve 3-year  
22 terms, and 3 persons to serve 5-year terms to begin April 1,  
23 1999. Otherwise, members shall be appointed to 5 year terms.  
24 No member shall be eligible to serve more than 12 consecutive  
25 years.

26 In making the appointment of members on the Board, the  
27 Governor shall give due consideration to recommendations by  
28 the members of the profession of pharmacy and by  
29 pharmaceutical organizations therein. The Governor shall  
30 notify the pharmaceutical organizations promptly of any  
31 vacancy of members on the Board and in appointing members  
32 shall give consideration to individuals engaged in all types  
33 and settings of pharmacy practice.

1 The Governor may remove any member of the Board for  
2 misconduct, incapacity or neglect of duty and he shall be the  
3 sole judge of the sufficiency of the cause for removal.

4 Every person appointed a member of the Board shall take  
5 and subscribe the constitutional oath of office and file it  
6 with the Secretary of State. Members of the Board shall  
7 receive no compensation for their service, but Each-member-of  
8 the-Board shall be reimbursed for such actual and legitimate  
9 expenses as he may incur in going to and from the place of  
10 meeting and remaining thereat during sessions of the Board.  
11 A member of the Board who experiences a significant financial  
12 hardship due to the loss of income on days of attendance at  
13 meetings or while otherwise engaged in the business of the  
14 Board may be paid a hardship allowance, as determined by and  
15 subject to the approval of the Governor's Travel Control  
16 Board. In-addition, each-member-of-the-Board-shall-receive-a  
17 per-diem-payment-in-an-amount-determined-from-time-to-time-by  
18 the-Director-for-attendance-at-meetings-of-the-Board-and  
19 conducting-other-official-business-of-the-Board.

20 The Board shall hold quarterly meetings and an annual  
21 meeting in January of each year and such other meetings at  
22 such times and places and upon such notice as the Board may  
23 determine and as its business may require. Five members of  
24 the Board shall constitute a quorum for the transaction of  
25 business. The Director shall appoint a pharmacy coordinator,  
26 who shall be someone other than a member of the Board. The  
27 pharmacy coordinator shall be a registered pharmacist in good  
28 standing in this State, shall be a graduate of an accredited  
29 college of pharmacy, or hold at a minimum a Bachelor of  
30 Science degree in Pharmacy and shall have at least 5 years'  
31 experience in the practice of pharmacy immediately prior to  
32 his appointment. The pharmacy coordinator shall be the  
33 executive administrator and the chief enforcement officer of  
34 the Pharmacy Practice Act of 1987.



1 The Board shall exercise the rights, powers and duties  
2 which have been vested in the Board under this Act, and any  
3 other duties conferred upon the Board by law.

4 The Director shall, in conformity with the Personnel  
5 Code, employ not less than 7 pharmacy investigators and 2  
6 pharmacy supervisors. Each pharmacy investigator and each  
7 supervisor shall be a registered pharmacist in good standing  
8 in this State, and shall be a graduate of an accredited  
9 college of pharmacy and have at least 5 years of experience  
10 in the practice of pharmacy. The Department shall also  
11 employ at least one attorney who is a pharmacist to prosecute  
12 violations of this Act and its rules. The Department may, in  
13 conformity with the Personnel Code, employ such clerical and  
14 other employees as are necessary to carry out the duties of  
15 the Board.

16 The duly authorized pharmacy investigators of the  
17 Department shall have the right to enter and inspect during  
18 business hours any pharmacy or any other place in the State  
19 of Illinois holding itself out to be a pharmacy where  
20 medicines or drugs or drug products or proprietary medicines  
21 are sold, offered for sale, exposed for sale, or kept for  
22 sale. The pharmacy investigators shall be the only  
23 Department investigators authorized to inspect, investigate,  
24 and monitor probation compliance of pharmacists and  
25 pharmacies.

26 (Source: P.A. 91-827, eff. 6-13-00; 92-651, eff. 7-11-02.)

27 (Text of Section after amendment by P.A. 92-880)

28 Sec. 10. State Board of Pharmacy. There is created in the  
29 Department the State Board of Pharmacy. It shall consist of  
30 9 members, 7 of whom shall be licensed pharmacists. Each of  
31 those 7 members must be a licensed pharmacist in good  
32 standing in this State, a graduate of an accredited college  
33 of pharmacy or hold a Bachelor of Science degree in Pharmacy  
34 and have at least 5 years' practical experience in the

1 practice of pharmacy subsequent to the date of his licensure  
2 as a licensed pharmacist in the State of Illinois. There  
3 shall be 2 public members, who shall be voting members, who  
4 shall not be licensed pharmacists in this State or any other  
5 state.

6 Each member shall be appointed by the Governor.

7 The terms of all members serving as of March 31, 1999  
8 shall expire on that date. The Governor shall appoint 3  
9 persons to serve one-year terms, 3 persons to serve 3-year  
10 terms, and 3 persons to serve 5-year terms to begin April 1,  
11 1999. Otherwise, members shall be appointed to 5 year terms.  
12 No member shall be eligible to serve more than 12 consecutive  
13 years.

14 In making the appointment of members on the Board, the  
15 Governor shall give due consideration to recommendations by  
16 the members of the profession of pharmacy and by  
17 pharmaceutical organizations therein. The Governor shall  
18 notify the pharmaceutical organizations promptly of any  
19 vacancy of members on the Board and in appointing members  
20 shall give consideration to individuals engaged in all types  
21 and settings of pharmacy practice.

22 The Governor may remove any member of the Board for  
23 misconduct, incapacity or neglect of duty and he shall be the  
24 sole judge of the sufficiency of the cause for removal.

25 Every person appointed a member of the Board shall take  
26 and subscribe the constitutional oath of office and file it  
27 with the Secretary of State. Members of the Board shall  
28 receive no compensation for their service, but Each-member-of  
29 the-Board shall be reimbursed for such actual and legitimate  
30 expenses as he may incur in going to and from the place of  
31 meeting and remaining thereat during sessions of the Board.  
32 A member of the Board who experiences a significant financial  
33 hardship due to the loss of income on days of attendance at  
34 meetings or while otherwise engaged in the business of the

1 Board may be paid a hardship allowance, as determined by and  
2 subject to the approval of the Governor's Travel Control  
3 Board. ~~In addition, each member of the Board shall receive a~~  
4 ~~per diem payment in an amount determined from time to time by~~  
5 ~~the Director for attendance at meetings of the Board and~~  
6 ~~conducting other official business of the Board.~~

7 The Board shall hold quarterly meetings and an annual  
8 meeting in January of each year and such other meetings at  
9 such times and places and upon such notice as the Board may  
10 determine and as its business may require. Five members of  
11 the Board shall constitute a quorum for the transaction of  
12 business. The Director shall appoint a pharmacy coordinator,  
13 who shall be someone other than a member of the Board. The  
14 pharmacy coordinator shall be a registered pharmacist in good  
15 standing in this State, shall be a graduate of an accredited  
16 college of pharmacy, or hold at a minimum a Bachelor of  
17 Science degree in Pharmacy and shall have at least 5 years'  
18 experience in the practice of pharmacy immediately prior to  
19 his appointment. The pharmacy coordinator shall be the  
20 executive administrator and the chief enforcement officer of  
21 the Pharmacy Practice Act of 1987.

22 The Board shall exercise the rights, powers and duties  
23 which have been vested in the Board under this Act, and any  
24 other duties conferred upon the Board by law.

25 The Director shall, in conformity with the Personnel  
26 Code, employ not less than 7 pharmacy investigators and 2  
27 pharmacy supervisors. Each pharmacy investigator and each  
28 supervisor shall be a registered pharmacist in good standing  
29 in this State, and shall be a graduate of an accredited  
30 college of pharmacy and have at least 5 years of experience  
31 in the practice of pharmacy. The Department shall also  
32 employ at least one attorney who is a pharmacist to prosecute  
33 violations of this Act and its rules. The Department may, in  
34 conformity with the Personnel Code, employ such clerical and

1 other employees as are necessary to carry out the duties of  
2 the Board.

3 The duly authorized pharmacy investigators of the  
4 Department shall have the right to enter and inspect during  
5 business hours any pharmacy or any other place in the State  
6 of Illinois holding itself out to be a pharmacy where  
7 medicines or drugs or drug products or proprietary medicines  
8 are sold, offered for sale, exposed for sale, or kept for  
9 sale. The pharmacy investigators shall be the only  
10 Department investigators authorized to inspect, investigate,  
11 and monitor probation compliance of pharmacists, pharmacies,  
12 and pharmacy technicians.

13 (Source: P.A. 91-827, eff. 6-13-00; 92-651, eff. 7-11-02;  
14 92-880, eff. 1-1-04.)

15 Section 225-90. The Illinois Physical Therapy Act is  
16 amended by changing Section 6 as follows:

17 (225 ILCS 90/6) (from Ch. 111, par. 4256)

18 (Section scheduled to be repealed on January 1, 2006)

19 Sec. 6. Duties and functions of Director and Committee.  
20 The Director shall appoint a Physical Therapy Licensing and  
21 Disciplinary Committee as follows: Seven persons who shall  
22 be appointed by and shall serve in an advisory capacity to  
23 the Director. Six members must be actively engaged in the  
24 practice of physical therapy in this State for a minimum of 5  
25 years and one member must be a member of the public who is  
26 not licensed under this Act, or a similar Act of another  
27 jurisdiction.

28 Members shall serve 4 year terms and until their  
29 successors are appointed and qualified, except that of the  
30 initial appointments, 2 members shall be appointed to serve  
31 for 2 years, 2 shall be appointed to serve for 3 years and  
32 the remaining shall be appointed to serve for 4 years and

1 until their successors are appointed and qualified. No  
2 member shall be reappointed to the Committee for a term which  
3 would cause his continuous service on the Committee to be  
4 longer than 9 successive years. Appointments to fill  
5 vacancies shall be made in the same manner as original  
6 appointments, for the unexpired portion of the vacated term.  
7 Initial terms shall begin upon the effective date of this  
8 amendatory Act of 1987 and Committee members in office on  
9 that date shall be eligible for appointment to specific terms  
10 as indicated herein.

11 For the initial appointment of the Committee, the  
12 Director shall give priority to filling the public member  
13 terms as vacancies become available.

14 Members of the Committee shall be immune from suit in any  
15 action based upon any disciplinary proceedings or other  
16 activities performed in good faith as members of the  
17 Committee.

18 A vacancy in the membership of the Committee shall not  
19 impair the right of a quorum to exercise all the rights and  
20 perform all the duties of the Committee.

21 The members of the Committee shall receive no  
22 compensation for their service, but shall be reimbursed for  
23 are--entitled--to--receive--as--compensation--a--reasonable--sum--as  
24 determined--by--the--Director--for--each--day--actually--engaged--in  
25 the--duties--of--the--office--and all legitimate and necessary  
26 expenses incurred in attending the meetings of the Committee.  
27 A member of the Committee who experiences a significant  
28 financial hardship due to the loss of income on days of  
29 attendance at meetings or while otherwise engaged in the  
30 business of the Committee may be paid a hardship allowance,  
31 as determined by and subject to the approval of the  
32 Governor's Travel Control Board.

33 The membership of the Committee should reasonably reflect  
34 representation from the geographic areas in this State.

1 The Director may terminate the appointment of any member  
2 for cause which in the opinion of the Director reasonably  
3 justifies such termination.

4 The Director shall consider the recommendations of the  
5 Committee on questions involving standards of professional  
6 conduct, discipline and qualifications of candidates and  
7 licensees under this Act.

8 Nothing shall limit the ability of the Committee to  
9 provide recommendations to the Director in regard to any  
10 matter affecting the administration of this Act. The Director  
11 shall give due consideration to all recommendations of the  
12 Committee. If the Director takes action contrary to a  
13 recommendation of the Committee, the Director shall promptly  
14 provide a written explanation of that action.

15 (Source: P.A. 89-387, eff. 1-1-96.)

16 Section 225-100. The Podiatric Medical Practice Act of  
17 1987 is amended by changing Section 7 as follows:

18 (225 ILCS 100/7) (from Ch. 111, par. 4807)

19 (Section scheduled to be repealed on January 1, 2008)

20 Sec. 7. Creation of the Board. The Director shall  
21 appoint a Podiatric Medical Licensing Board as follows: 5  
22 members must be actively engaged in the practice of podiatric  
23 medicine in this State for a minimum of 3 years and one  
24 member must be a member of the general public who is not  
25 licensed under this Act or a similar Act of another  
26 jurisdiction.

27 Members shall serve 3 year terms and serve until their  
28 successors are appointed and qualified. No member shall be  
29 reappointed to the Board for a term that would cause his or  
30 her continuous service on the Board to be longer than 8  
31 successive years.

32 A majority of Board members currently appointed shall

1 constitute a quorum. A vacancy in the membership of the Board  
2 shall not impair the right of a quorum to exercise the rights  
3 and perform all of the duties of the Board.

4 In making appointments to the Board the Director shall  
5 give due consideration to recommendations by the Illinois  
6 Podiatric Medical Association and shall promptly give due  
7 notice to the Illinois Podiatric Medical Association of any  
8 vacancy in the membership of the Board.

9 Appointments to fill vacancies shall be made in the same  
10 manner as original appointments, for the unexpired portion of  
11 the vacated term.

12 The Board shall annually elect a chairperson and  
13 vice-chairperson.

14 The membership of the Board should reasonably reflect  
15 representation from the geographic areas in this State.

16 Members of the Board shall be immune from suit in any  
17 action based upon any disciplinary proceedings or other  
18 activities performed in good faith as members of the Board.

19 The members of the Board shall receive no compensation  
20 for their service, but shall be reimbursed for each-receive  
21 as--compensation--a--reasonable--sum--as--determined--by--the  
22 Director-for-each-day-actually-engaged-in-the-duties--of--the  
23 office, and all legitimate and necessary expenses incurred in  
24 attending the meetings of the Board. A member of the Board  
25 who experiences a significant financial hardship due to the  
26 loss of income on days of attendance at meetings or while  
27 otherwise engaged in the business of the Board may be paid a  
28 hardship allowance, as determined by and subject to the  
29 approval of the Governor's Travel Control Board.

30 The Director may terminate the appointment of any member  
31 for cause that in the opinion of the Director reasonably  
32 justifies such termination.

33 The Director shall consider the recommendations of the  
34 Board on questions involving standards of professional

1 conduct, discipline, and qualifications of candidates and  
2 licensees under this Act.

3 Notice of proposed rulemaking shall be transmitted to the  
4 Board and the Department shall review the response of the  
5 Board and any recommendations made in the response. The  
6 Department may, at any time, seek the expert advice and  
7 knowledge of the Board on any matter relating to the  
8 administration or enforcement of this Act.

9 (Source: P.A. 90-76, eff. 12-30-97.)

10 Section 225-106. The Respiratory Care Practice Act is  
11 amended by changing Section 35 as follows:

12 (225 ILCS 106/35)

13 (Section scheduled to be repealed on January 1, 2006)

14 Sec. 35. Respiratory Care Board.

15 (a) The Director shall appoint a Respiratory Care Board  
16 which shall serve in an advisory capacity to the Director.  
17 The Board shall consist of 9 persons of which 4 members shall  
18 be currently engaged in the practice of respiratory care with  
19 a minimum of 3 years practice in the State of Illinois, 3  
20 members shall be qualified medical directors, and 2 members  
21 shall be hospital administrators.

22 (b) Members shall be appointed to a 3-year term; except,  
23 initial appointees shall serve the following terms: 3 members  
24 shall serve for one year, 3 members shall serve for 2 years,  
25 and 3 members shall serve for 3 years. A member whose term  
26 has expired shall continue to serve until his or her  
27 successor is appointed and qualified. No member shall be  
28 reappointed to the Board for a term that would cause his or  
29 her continuous service on the Board to be longer than 8  
30 years. Appointments to fill vacancies shall be made in the  
31 same manner as original appointments for the unexpired  
32 portion of the vacated term. Initial terms shall begin upon



1 the effective date of this Act.

2 (c) The membership of the Board shall reasonably  
3 represent all the geographic areas in this State. The  
4 Director shall consider the recommendations of the  
5 organization representing the largest number of respiratory  
6 care practitioners for appointment of the respiratory care  
7 practitioner members of the Board and the organization  
8 representing the largest number of licensed physicians for  
9 the appointment of medical directors to the board.

10 (d) The Director has the authority to remove any member  
11 of the Board from office for neglect of any duty required by  
12 law, for incompetency, or for unprofessional or dishonorable  
13 conduct.

14 (e) The Director shall consider the recommendations of  
15 the Board on questions involving standards of professional  
16 conduct, discipline, and qualifications of candidates for  
17 licensure under this Act.

18 (f) The members of the Board shall receive no  
19 compensation for their service, but shall be reimbursed for  
20 all legitimate and necessary expenses incurred in attending  
21 meetings of the Board. A member of the Board who experiences  
22 a significant financial hardship due to the loss of income on  
23 days of attendance at meetings or while otherwise engaged in  
24 the business of the Board may be paid a hardship allowance,  
25 as determined by and subject to the approval of the  
26 Governor's Travel Control Board.

27 (Source: P.A. 89-33, eff. 1-1-96.)

28 Section 225-107. The Professional Counselor and Clinical  
29 Professional Counselor Licensing Act is amended by changing  
30 Section 30 as follows:

31 (225 ILCS 107/30) (from Ch. 111, par. 8451-30)

32 (Section scheduled to be repealed on January 1, 2013)

1           Sec. 30. Professional Counselor Examining and  
2   Disciplinary Board.

3           (a) The Director shall appoint a Board which shall serve  
4   in an advisory capacity to the Director. The Board shall  
5   consist of 7 persons, 2 of whom are licensed solely as  
6   professional counselors, 3 of whom are licensed solely as  
7   clinical professional counselors, one full-time faculty  
8   member of an accredited college or university that is engaged  
9   in training professional counselors or clinical professional  
10   counselors who possesses the qualifications substantially  
11   equivalent to the education and experience requirements for a  
12   professional counselor or clinical professional counselor,  
13   and one member of the public who is not a licensed health  
14   care provider. In appointing members of the Board, the  
15   Director shall give due consideration to the adequate  
16   representation of the various fields of counseling. In  
17   appointing members of the Board, the Director shall give due  
18   consideration to recommendations by members of the  
19   professions of professional counseling and clinical  
20   professional counseling, the Statewide organizations  
21   representing the interests of professional counselors and  
22   clinical professional counselors, organizations representing  
23   the interests of academic programs, rehabilitation counseling  
24   programs, and approved counseling programs in the State of  
25   Illinois.

26           (b) Members shall be appointed for and shall serve 4  
27   year terms and until their successors are appointed and  
28   qualified, except that of the initial appointments 2 members  
29   shall be appointed to serve for 2 years, 2 shall be appointed  
30   to serve for 3 years, and the remaining shall be appointed to  
31   serve for 4 years and until their successors are appointed  
32   and qualified. No member shall be reappointed to the Board  
33   for a term that would cause continuous service on the Board  
34   to be longer than 8 years. Any appointment to fill a vacancy

1 shall be for the unexpired portion of the term.

2 (c) The membership of the Board should reasonably  
3 reflect representation from different geographic areas of  
4 Illinois.

5 (d) Any member appointed to fill a vacancy shall be  
6 eligible for reappointment to only one full term.

7 (e) The Director may remove any member for cause at any  
8 time prior to the expiration of his or her term.

9 (f) The Board shall annually elect one of its members as  
10 chairperson.

11 (g) The members of the Board shall receive no  
12 compensation for their service, but shall be reimbursed for  
13 all legitimate, necessary, and authorized expenses incurred  
14 in attending the meetings of the Board. A member of the Board  
15 who experiences a significant financial hardship due to the  
16 loss of income on days of attendance at meetings or while  
17 otherwise engaged in the business of the Board may be paid a  
18 hardship allowance, as determined by and subject to the  
19 approval of the Governor's Travel Control Board.

20 (h) The Board may make recommendations on matters  
21 relating to approving graduate counseling, rehabilitation  
22 counseling, psychology, and related programs.

23 (i) The Board may make recommendations on matters  
24 relating to continuing education including the number of  
25 hours necessary for license renewal, waivers for those unable  
26 to meet such requirements, and acceptable course content.  
27 These recommendations shall not impose an undue burden on the  
28 Department or an unreasonable restriction on those seeking  
29 license renewal.

30 (j) The Director shall give due consideration to all  
31 recommendations of the Board.

32 (k) A majority of the Board members currently appointed  
33 shall constitute a quorum. A vacancy in the membership of the  
34 Board shall not impair the right of a quorum to perform all

1 of the duties of the Board.

2 (1) Members of the Board shall have no criminal, civil,  
3 or professional liability in an action based upon a  
4 disciplinary proceeding or other activity performed in good  
5 faith as a member of the Board, except for willful or wanton  
6 misconduct.

7 (Source: P.A. 92-719, eff. 7-25-02.)

8 Section 225-110. The Illinois Speech-Language Pathology  
9 and Audiology Practice Act is amended by changing Section 5  
10 as follows:

11 (225 ILCS 110/5) (from Ch. 111, par. 7905)

12 (Section scheduled to be repealed on January 1, 2008)

13 Sec. 5. Board of Speech-Language Pathology and  
14 Audiology. There is created a Board of Speech-Language  
15 Pathology and Audiology to be composed of persons designated  
16 from time to time by the Director, as follows:

17 (a) Five persons, 2 of whom have been licensed  
18 speech-language pathologists for a period of 5 years or  
19 more, 2 of whom have been licensed audiologists for a  
20 period of 5 years or more, and one public member. The  
21 board shall annually elect a chairperson and a  
22 vice-chairperson.

23 (b) Terms for all members shall be for 3 years.  
24 Partial terms over 2 years in length shall be considered  
25 as full terms. A member may be reappointed for a  
26 successive term, but no member shall serve more than 2  
27 full terms.

28 (c) The membership of the Board should reasonably  
29 reflect representation from the various geographic areas  
30 of the State.

31 (d) In making appointments to the Board, the  
32 Director shall give due consideration to recommendations

1 by organizations of the speech-language pathology and  
2 audiology professions in Illinois, including the Illinois  
3 Speech-Language-Hearing Association, and shall promptly  
4 give due notice to such organizations of any vacancy in  
5 the membership of the Board. The Director may terminate  
6 the appointment of any member for any cause, which in the  
7 opinion of the Director, reasonably justifies such  
8 termination.

9 (e) A majority of the Board members currently  
10 appointed shall constitute a quorum. A vacancy in the  
11 membership of the Board shall not impair the right of a  
12 quorum to exercise all the rights and perform all the  
13 duties of the Board.

14 (f) The members of the Board shall receive no  
15 compensation for their service, but shall be reimbursed  
16 for each--receive--as--compensation--a-reasonable-sum-as  
17 determined-by-the-Director-for-each-day-actually--engaged  
18 in--the--duties--of--the--office, and all legitimate and  
19 necessary expenses incurred in attending the meetings of  
20 the Board. A member of the Board who experiences a  
21 significant financial hardship due to the loss of income  
22 on days of attendance at meetings or while otherwise  
23 engaged in the business of the Board may be paid a  
24 hardship allowance, as determined by and subject to the  
25 approval of the Governor's Travel Control Board.

26 (g) Members of the Board shall be immune from suit  
27 in any action based upon any disciplinary proceedings or  
28 other activities performed in good faith as members of  
29 the Board.

30 (h) The Director may consider the recommendations  
31 of the Board in establishing guidelines for professional  
32 conduct, the conduct of formal disciplinary proceedings  
33 brought under this Act, and qualifications of applicants.  
34 Notice of proposed rulemaking shall be transmitted to the

1 Board and the Department shall review the response of the  
2 Board and any recommendations made in the response. The  
3 Department, at any time, may seek the expert advice and  
4 knowledge of the Board on any matter relating to the  
5 administration or enforcement of this Act.

6 (i) Whenever the Director is satisfied that  
7 substantial justice has not been done either in an  
8 examination or in the revocation, suspension, or refusal  
9 of a license, or other disciplinary action relating to a  
10 license, the Director may order a reexamination or  
11 rehearing.

12 (Source: P.A. 90-69, eff. 7-8-97.)

13 Section 225-115. The Veterinary Medicine and Surgery  
14 Practice Act of 1994 is amended by changing Section 7 as  
15 follows:

16 (225 ILCS 115/7) (from Ch. 111, par. 7007)

17 (Section scheduled to be repealed on January 1, 2004)

18 Sec. 7. Veterinarian Licensing and Disciplinary Board.  
19 The Director shall appoint a Veterinarian Licensing and  
20 Disciplinary Board as follows: 7 persons shall be appointed  
21 by and shall serve in an advisory capacity to the Director, 6  
22 members must be licensed, in good standing, veterinarians in  
23 this State, and must be actively engaged in the practice of  
24 veterinary medicine and surgery in this State, and one member  
25 must be a member of the public who is not licensed under this  
26 Act, or a similar Act of another jurisdiction and who has no  
27 connection with the veterinary profession.

28 Members shall serve 4 year terms and until their  
29 successors are appointed and qualified, except that of the  
30 initial appointments, one member shall be appointed to serve  
31 for one year, 2 shall be appointed to serve for 2 years, 2  
32 shall be appointed to serve for 3 years, and the remaining,

1 one of which shall be a public member, shall be appointed to  
2 serve for 4 years and until their successors are appointed  
3 and qualified. No member shall be reappointed to the Board  
4 for more than 2 terms. Appointments to fill vacancies shall  
5 be made in the same manner as original appointments, for the  
6 unexpired portion of the vacated term. Initial terms shall  
7 begin upon the effective date of this Act.

8 The membership of the Board should reasonably reflect  
9 representation from the geographic areas in this State. The  
10 Director shall consider the recommendations made by the State  
11 Veterinary Medical Association in making appointments.

12 The Director may terminate the appointment of any member  
13 for cause which in the opinion of the Director reasonably  
14 justifies such termination.

15 The Board shall annually elect a Chairman who shall be a  
16 Veterinarian.

17 The Director shall consider the advice and  
18 recommendations of the Board on questions involving standards  
19 of professional conduct, discipline and qualifications of  
20 candidates and licensees under this Act.

21 Members of the Board shall receive no compensation for  
22 their service, but be--entitled-to-receive-a-per-diem-at-a  
23 rate-set-by-the-Direeter-and shall be reimbursed for all  
24 authorized expenses incurred in the exercise of their duties.  
25 A member of the Board who experiences a significant financial  
26 hardship due to the loss of income on days of attendance at  
27 meetings or while otherwise engaged in the business of the  
28 Board may be paid a hardship allowance, as determined by and  
29 subject to the approval of the Governor's Travel Control  
30 Board.

31 Members of the Board have no liability in any action  
32 based upon any disciplinary proceeding or other activity  
33 performed in good faith as a member of the Board.

34 (Source: P.A. 91-827, eff. 6-13-00.)

1 Section 225-120. The Wholesale Drug Distribution  
2 Licensing Act is amended by changing Section 45 as follows:

3 (225 ILCS 120/45) (from Ch. 111, par. 8301-45)  
4 (Section scheduled to be repealed on January 1, 2013)

5 Sec. 45. Wholesale Drug Distributor Advisory Committee.

6 (1) The Department shall appoint a Wholesale Drug  
7 Distributor Advisory Committee composed of 5 members, to be  
8 selected and for performing duties and responsibilities as  
9 follows:

10 (a) At least one member shall be a pharmacy  
11 distributor as defined in Section 15 of this Act, but who  
12 shall be neither a member of any other Department of  
13 Professional Regulation Board nor a Department employee;  
14 except that if no such pharmacy distributor is available  
15 to be a Committee member, the member required by this  
16 subsection shall be a representative of wholesale drug  
17 distributors in addition to those representatives  
18 provided for in subsection (b).

19 (b) At least 2 members shall be representatives of  
20 wholesale drug distributors as defined in Section 15 of  
21 this Act, except that the wholesale drug distributors in  
22 this subsection shall not include any drug manufacturer.

23 (c) At least one member shall be a representative  
24 of drug manufacturers.

25 (d) At least one member shall be a representative  
26 of chain drug wholesalers.

27 (2) ~~(e)~~ The Advisory Committee shall review and make  
28 recommendations to the Department on the merit of all rules  
29 and regulations dealing with wholesale drug distributors,  
30 pharmacy distributors, and drug manufacturers that are  
31 proposed by the Department. No rule or regulation affecting  
32 wholesale drug distributors or pharmacy distributors  
33 promulgated by the Department shall be approved without first



1 being submitted to the Committee reasonably ahead of time for  
2 review and comment.

3 (3) ~~(f)~~ In making Advisory Committee appointments, the  
4 Department shall consider recommendations received from each  
5 of the wholesale drug distributor, pharmacy distributor, and  
6 drug manufacturer classes cited in subsections (a) through  
7 (c) of this Section; and shall promulgate rules that provide  
8 for solicitation of recommendations.

9 (4) Members of the Advisory Committee shall receive no  
10 compensation for their service, but may be reimbursed for  
11 reasonable and necessary expenses incurred in the course of  
12 that service. A member of the Advisory Committee who  
13 experiences a significant financial hardship due to the loss  
14 of income on days of attendance at meetings or while  
15 otherwise engaged in the business of the Advisory Committee  
16 may be paid a hardship allowance, as determined by and  
17 subject to the approval of the Governor's Travel Control  
18 Board.

19 (Source: P.A. 87-594.)

20 Section 225-125. The Perfusionist Practice Act is  
21 amended by changing Section 25 as follows:

22 (225 ILCS 125/25)

23 (Section scheduled to be repealed on January 1, 2010)

24 Sec. 25. Board of Perfusion. The Director shall appoint  
25 a Board of Perfusion to consist of 5 persons who shall be  
26 appointed by and shall serve in an advisory capacity to the  
27 Director. Two members must hold an active license to engage  
28 in the practice of perfusion in this State, one member must  
29 be a physician licensed under the Medical Practice Act of  
30 1987 who is board certified in and actively engaged in the  
31 practice of cardiothoracic surgery, one member must be a  
32 licensed registered professional nurse certified by the

1 Association of Operating Room Nurses, and one member must be  
2 a member of the public who is not licensed under this Act or  
3 a similar Act of another jurisdiction and who has no  
4 connection with the profession. The initial appointees who  
5 would otherwise be required to be licensed perfusionists  
6 shall instead be individuals who have been practicing  
7 perfusion for at least 5 years and who are eligible under  
8 this Act for licensure as perfusionists.

9 Members shall serve 4-year terms and until their  
10 successors are appointed and qualified, except that, of the  
11 initial appointments, 2 members shall be appointed to serve  
12 for 2 years, 2 members shall be appointed to serve for 3  
13 years, and 1 member shall be appointed to serve for 4 years,  
14 and until their successors are appointed and qualified. No  
15 member shall be reappointed to the Board for a term that  
16 would cause his or her continuous service on the Board to be  
17 longer than 8 consecutive years. Appointments to fill  
18 vacancies shall be made in the same manner as original  
19 appointments for the unexpired portion of the vacated term.  
20 Initial terms shall begin upon the effective date of this  
21 Act.

22 Members of the Board shall receive no compensation for  
23 their service, but may be reimbursed for reasonable and  
24 necessary expenses incurred in the course of that service.

25 A member of the Board who experiences a significant  
26 financial hardship due to the loss of income on days of  
27 attendance at meetings or while otherwise engaged in the  
28 business of the Board may be paid a hardship allowance, as  
29 determined by and subject to the approval of the Governor's  
30 Travel Control Board.

31 The Board shall annually elect a chairperson and a  
32 vice-chairperson who shall preside in the absence of the  
33 chairperson. The membership of the Board should reasonably  
34 reflect representation from the various geographic areas in

1 this State. The Director may terminate the appointment of  
2 any member for cause. The Director may give due  
3 consideration to all recommendations of the Board. A  
4 majority of the Board members currently appointed shall  
5 constitute a quorum. A vacancy in the membership of the  
6 Board shall not impair the right of a quorum to exercise the  
7 rights and perform all the duties of the Board. Members of  
8 the Board shall have no liability in any action based upon  
9 any disciplinary proceeding or other activity performed in  
10 good faith as a member of the Board.  
11 (Source: P.A. 91-580, eff. 1-1-00.)

12 Section 225-305. The Illinois Architecture Practice Act  
13 of 1989 is amended by changing Section 9 as follows:

14 (225 ILCS 305/9) (from Ch. 111, par. 1309)

15 (Section scheduled to be repealed on January 1, 2010)

16 Sec. 9. Creation of the Board. The Director shall  
17 appoint an Architecture Licensing Board which will consist of  
18 6 members. Five members shall be licensed architects, one of  
19 whom shall be a tenured member of the architectural faculty  
20 of the University of Illinois. The other 4 shall be licensed  
21 architects, residing in this State, who have been engaged in  
22 the practice of architecture at least 10 years. In addition  
23 to the 5 licensed architects, there shall be one public  
24 member. The public member shall be a voting member and shall  
25 not hold a license as an architect, professional engineer,  
26 structural engineer or land surveyor.

27 Board members shall serve 5 year terms and until their  
28 successors are appointed and qualified. In making the  
29 designation of persons to the Board, the Director shall give  
30 due consideration to recommendations by members and  
31 organizations of the profession.

32 The membership of the Board should reasonably reflect

1 representation from the geographic areas in this State.

2 No member shall be reappointed to the Board for a term  
3 which would cause his or her continuous service on the Board  
4 to be longer than 10 successive years. Service prior to the  
5 effective date of this Act shall not be considered.

6 Appointments to fill vacancies shall be made in the same  
7 manner as original appointments, for the unexpired portion of  
8 the vacated term. Initial terms shall begin upon the  
9 effective date of this Act and Board members in office on  
10 that date under the predecessor Act may be appointed to  
11 specific terms as indicated in this Section.

12 Persons holding office as members of the Board under the  
13 Illinois Architecture Act immediately prior to the effective  
14 date of this Act shall continue as members of the Board under  
15 this Act until the expiration of the term for which they were  
16 appointed and until their successors are appointed and  
17 qualified.

18 Members of the Board shall receive no compensation for  
19 their service, but may be reimbursed for reasonable and  
20 necessary expenses incurred in the course of that service.

21 A member of the Board who experiences a significant  
22 financial hardship due to the loss of income on days of  
23 attendance at meetings or while otherwise engaged in the  
24 business of the Board may be paid a hardship allowance, as  
25 determined by and subject to the approval of the Governor's  
26 Travel Control Board.

27 A quorum of the Board shall consist of a majority of  
28 Board members currently appointed. A majority vote of the  
29 quorum is required for Board decisions.

30 The Director may remove any member of the Board for  
31 misconduct, incompetence, neglect of duty, or for reasons  
32 prescribed by law for removal of State officials.

33 The Director may remove a member of the Board who does  
34 not attend 2 consecutive meetings.

1 Notice of proposed rulemaking shall be transmitted to the  
2 Board and the Department shall review the response of the  
3 Board and any recommendations made therein. The Department  
4 may, at any time, seek the expert advice and knowledge of the  
5 Board on any matter relating to the administration or  
6 enforcement of this Act.

7 Members of the Board are immune from suit in any action  
8 based upon any disciplinary proceedings or other activities  
9 performed in good faith as members of the Board.

10 (Source: P.A. 91-133, eff. 1-1-00.)

11 Section 225-310. The Interior Design Title Act is  
12 amended by changing Section 6 as follows:

13 (225 ILCS 310/6) (from Ch. 111, par. 8206)

14 (Section scheduled to be repealed on January 1, 2012)

15 Sec. 6. Board of Interior Design Professionals. There  
16 is created a Board of Interior Design Professionals to be  
17 composed of persons designated from time to time by the  
18 Director, as follows:

19 (a) For the first year, 5 persons, 4 of whom have been  
20 interior designers for a period of 5 years or more who would  
21 qualify upon application to the Department under this Act to  
22 be registered interior designers, and one public member.  
23 After the initial appointments, each interior design member  
24 shall hold a valid interior design registration. After the  
25 effective date of this amendatory Act of 1994, 2 additional  
26 persons shall be appointed to the Board who have been  
27 residential interior designers for a period of 5 years or  
28 more and who would qualify upon application under this Act to  
29 be registered as a residential interior designer. After the  
30 initial appointments of the 2 additional members, each  
31 residential interior designer member shall hold a valid  
32 residential interior designer registration. The Board shall

1 annually elect a chairman.

2 (b) Terms for all members shall be 3 years. For initial  
3 appointments, one member shall be appointed to serve for one  
4 year, 2 shall be appointed to serve for 2 years, and the  
5 remaining shall be appointed to serve for 3 years and until  
6 their successors are appointed and qualified. Initial terms  
7 shall begin on the effective date of this Act. For the  
8 initial appointments of the 2 additional members added by  
9 this amendatory Act of 1994, one shall be appointed to serve  
10 for one year and the other to serve for 2 years, and until  
11 their successors are appointed and qualified. Partial terms  
12 over 2 years in length shall be considered as full terms. A  
13 member may be reappointed for a successive term, but no  
14 member shall serve more than 2 full terms.

15 (c) The membership of the Board should reasonably  
16 reflect representation from the various geographic areas of  
17 the State.

18 (d) In making appointments to the Board, the Director  
19 shall give due consideration to recommendations by national  
20 and state organizations of the interior design profession and  
21 the residential interior design profession, and shall  
22 promptly give due notice to such organizations of any vacancy  
23 in the membership of the Board. The Director may terminate  
24 the appointment of any member for any cause, which in the  
25 opinion of the Director, reasonably justifies such  
26 termination.

27 (e) A vacancy in the membership of the Board shall not  
28 impair the right of a quorum to exercise all the rights and  
29 perform all the duties of the Board.

30 (f) The members of the Board shall receive no  
31 compensation for their service, but shall be reimbursed for  
32 each--receieve--as-compensation-a-reasonable-sum-as-determined  
33 by-the-Director-for-each-day-actually-engaged-in--the--duties  
34 of--the--office, and all legitimate and necessary expenses

1 incurred in the course of that service attending-the--meeting  
2 ef--the--Board. A member of the Board who experiences a  
3 significant financial hardship due to the loss of income on  
4 days of attendance at meetings or while otherwise engaged in  
5 the business of the Board may be paid a hardship allowance,  
6 as determined by and subject to the approval of the  
7 Governor's Travel Control Board.

8 (g) Members of the Board shall be immune from suit in  
9 any action based upon any disciplinary proceedings or other  
10 activities performed in good faith as members of the Board.

11 (Source: P.A. 88-650, eff. 9-16-94.)

12 Section 225-315. The Illinois Landscape Architecture Act  
13 of 1989 is amended by changing Section 9 as follows:

14 (225 ILCS 315/9) (from Ch. 111, par. 8109)

15 (Section scheduled to be repealed on January 1, 2010)

16 Sec. 9. Composition, qualification, and terms of Board.

17 (a) The Director shall appoint a Board consisting of 5  
18 persons who are residents of the State of Illinois and who  
19 shall be appointed by and shall serve in an advisory capacity  
20 to the Director. Four persons shall be individuals  
21 experienced in landscape architectural work who would qualify  
22 upon application to the Department under the provisions of  
23 this Act to be registered landscape architects, one of whom  
24 shall be tenured member of the landscape architecture faculty  
25 of the University of Illinois and 3 of whom shall have  
26 engaged in landscape architectural work for at least 5 years.  
27 The fifth person shall be a public member, not an employee of  
28 the State of Illinois, who is not registered under this Act  
29 or a similar Act of another jurisdiction. The public member  
30 may not be elected or appointed as chairman of the Board or  
31 serve in such capacity in any other manner.

32 (b) Members of the Board shall serve 5 year terms and

1 until their successors are appointed and qualified. No  
2 member shall be reappointed to the Board for a term which  
3 would cause that member's cumulative service on the Board to  
4 be longer than 10 years. No member who is an initial  
5 appointment to the Board shall be reappointed to the Board  
6 for a term which would cause that member's cumulative service  
7 on the Board to be longer than 13 years. Appointments to  
8 fill vacancies shall be made in the same manner as original  
9 appointments for the unexpired portion of the vacated term.  
10 Initial terms shall begin upon the effective date of this  
11 Act.

12 (c) The Director may remove any member of the Board for  
13 cause, which may include without limitation a member who does  
14 not attend 2 consecutive meetings.

15 (d) The Director shall consider the recommendations of  
16 the Board on questions involving standards of professional  
17 conduct, discipline, and qualifications of candidates and  
18 registrants under this Act.

19 (e) A quorum of the Board shall consist of a majority of  
20 members currently appointed. A majority vote of the quorum  
21 is required for board decisions.

22 (f) The Board shall annually elect a chairperson and  
23 vice chairperson, both of whom shall be licensed landscape  
24 architects.

25 (g) Members of the Board shall receive no compensation  
26 for their service, but may be reimbursed for reasonable and  
27 necessary expenses incurred in the course of that service. A  
28 member of the Board who experiences a significant financial  
29 hardship due to the loss of income on days of attendance at  
30 meetings or while otherwise engaged in the business of the  
31 Board may be paid a hardship allowance, as determined by and  
32 subject to the approval of the Governor's Travel Control  
33 Board.

34 (Source: P.A. 91-255, eff. 12-30-99.)



1 Section 225-320. The Illinois Plumbing License Law is  
2 amended by changing Section 7 as follows:

3 (225 ILCS 320/7) (from Ch. 111, par. 1106)

4 Sec. 7. (1) There is created an Illinois State Board of  
5 Plumbing Examiners which shall exercise its duties provided  
6 in this Act under the supervision of the Department. The  
7 Board shall consist of 9 licensed plumbers designated from  
8 time to time by the Director. In making the appointments to  
9 the Board, the Director shall consider the recommendations of  
10 individuals, firms or organizations involved in plumbing in  
11 this State.

12 (2) The Board shall aid the Director and the Department  
13 by:

14 (a) Preparing subject matter for examinations as  
15 provided in this Act.

16 (b) Suggesting rules to govern examinations and hearings  
17 for suspension, revocation or reinstatement of licenses.

18 (c) Submitting recommendations to the Director from time  
19 to time for the efficient administration of this Act.

20 (d) Grading all tests and examinations for licenses and  
21 promptly reporting the results to the Director.

22 (e) Performing such other duties from time to time  
23 prescribed by the Director.

24 (3) Board members shall receive no compensation for  
25 their service, but ~~Each-Board-member-shall-be-compensated-the~~  
26 ~~sum-of-\$50-for-each-day-or-part-thereof-on-which-he-serves-on~~  
27 ~~business--of--the--Board--and--in--addition--thereto~~ shall be  
28 reimbursed for necessary per-diem expenses incurred in the  
29 course of that service ~~as-authorized-for-State-employees.~~ A  
30 member of the Board who experiences a significant financial  
31 hardship due to the loss of income on days of attendance at  
32 meetings or while otherwise engaged in the business of the  
33 Board may be paid a hardship allowance, as determined by and

1 subject to the approval of the Governor's Travel Control  
2 Board.

3 (Source: P.A. 85-981.)

4 Section 225-325. The Professional Engineering Practice  
5 Act of 1989 is amended by changing Section 6 as follows:

6 (225 ILCS 325/6) (from Ch. 111, par. 5206)

7 (Section scheduled to be repealed on January 1, 2010)

8 Sec. 6. Composition, qualifications and terms of the  
9 Board.

10 (a) The Board shall be appointed by the Director and  
11 shall consist of 10 members, one of whom shall be a public  
12 member and 9 of whom shall be professional engineers licensed  
13 under this Act. In addition each member who is a  
14 professional engineer shall:

15 (1) be a citizen of the United States, and

16 (2) be a resident of this State.

17 (b) In addition, each member who is a professional  
18 engineer shall:

19 (1) have not less than 12 years of experience in  
20 the practice of professional engineering, and shall hold  
21 an active license as a professional engineer in Illinois;

22 (2) have been in charge of professional engineering  
23 work for at least 5 years. For the purposes of this  
24 Section, any period in which a person has been in charge  
25 of teaching engineering in an engineering college with  
26 the rank of assistant professor or higher shall be  
27 considered as time in which such person was in charge of  
28 professional engineering work.

29 The terms for all members shall be for 5 years. On the  
30 expiration of the term of any member or in the event of a  
31 vacancy, the Director shall appoint a member who shall hold  
32 office until the expiration of the term for which the member

1 is appointed and until a successor has been appointed and  
2 qualified.

3 No member shall be reappointed to the Board for a term  
4 which would cause that individual's continuous service on the  
5 Board to be longer than 15 successive years.

6 In implementing the 5 year terms, the Director shall vary  
7 the terms to enable the Board to have no more than 2 terms  
8 expire in any one year.

9 The public member shall not be an employee of the State  
10 of Illinois. The public member shall be an Illinois resident  
11 and a citizen of the United States.

12 In making appointments to the Board, the Director shall  
13 give due consideration to recommendations by members of the  
14 profession and by organizations therein.

15 The Director may remove any member of the Board for  
16 misconduct, incompetence, neglect of duty or for reasons  
17 prescribed by law for removal of State officials.

18 The Director may remove a member of the Board who does  
19 not attend 2 consecutive meetings.

20 A quorum of the Board shall consist of a majority of  
21 Board members appointed. Majority vote of the quorum is  
22 required for Board decisions.

23 Members of the Board shall receive no compensation for  
24 their service, but ~~Each--member-of-the-Board-shall-receive~~  
25 ~~compensation--when--attending--Board--meetings--or---meetings~~  
26 ~~approved--by--the--Director--and~~ shall be reimbursed for all  
27 actual traveling expenses. A member of the Board who  
28 experiences a significant financial hardship due to the loss  
29 of income on days of attendance at meetings or while  
30 otherwise engaged in the business of the Board may be paid a  
31 hardship allowance, as determined by and subject to the  
32 approval of the Governor's Travel Control Board.

33 Members of the Board shall be immune from suit in any  
34 action based upon any disciplinary proceedings or other

1 activities performed in good faith as members of the Board.

2 Persons holding office as members of the Board  
3 immediately prior to the effective date of this Act under the  
4 Act repealed herein shall continue as members of the Board  
5 until the expiration of the term for which they were  
6 appointed and until their successors are appointed and  
7 qualified.

8 (Source: P.A. 91-92, eff. 1-1-00.)

9 Section 225-330. The Illinois Professional Land Surveyor  
10 Act of 1989 is amended by changing Section 7 as follows:

11 (225 ILCS 330/7) (from Ch. 111, par. 3257)

12 (Section scheduled to be repealed on January 1, 2010)

13 Sec. 7. Creation of the Board; Composition and  
14 qualifications and terms of the Board. The Board shall be  
15 appointed by the Director and shall consist of 7 members, one  
16 of whom shall be a public member and 6 of whom shall be  
17 Professional Land Surveyors. The members shall be residents  
18 of Illinois. Each Professional Land Surveyor member shall  
19 (a) currently hold a valid Professional Land Surveyor license  
20 in Illinois and shall have held the license under this Act or  
21 its predecessor for the previous 10 year period, and (b) have  
22 not been disciplined within the last 10 year period under  
23 this Act or its predecessor. The public member shall not be  
24 an employee of the State of Illinois or of the federal  
25 government, and shall not be licensed under this Act or any  
26 other Act the Department administers.

27 Members shall be appointed who reasonably represent the  
28 different geographic areas of Illinois and shall serve for 5  
29 year terms, and until their successors are qualified and  
30 appointed. A member shall not be eligible for appointment  
31 to more than 2 consecutive 5 year terms. Appointments to  
32 fill vacancies shall be made for the unexpired portion of the

1 term. Initial terms shall begin on the effective date of  
2 this Act. Board members currently appointed under this Act  
3 and in office on the effective date of this Act shall  
4 continue to hold office until their terms expire and they are  
5 replaced. All appointments shall be made on the basis of  
6 individual professional qualifications with the exception of  
7 the public member and shall not be based upon race, sex, or  
8 religious or political affiliations.

9 Members Each--member of the Board shall receive no  
10 compensation for their service, but ~~compensation--~~when  
11 ~~attending--to--the-work-of-the-Board-or-any-of-its-committees~~  
12 ~~and-for-time-spent-in-necessary-travel.--~~In-addition,-members  
13 shall be reimbursed for actual traveling, incidentals and  
14 expenses necessarily incurred in carrying out their duties as  
15 members of the Board. A member of the Board who experiences  
16 a significant financial hardship due to the loss of income on  
17 days of attendance at meetings or while otherwise engaged in  
18 the business of the Board may be paid a hardship allowance,  
19 as determined by and subject to the approval of the  
20 Governor's Travel Control Board.

21 The Director shall consider the advice and  
22 recommendations of the Board on issues involving standards of  
23 professional conduct, discipline and qualifications of the  
24 candidates and licensees under this Act.

25 The Director shall make the Board appointments within 90  
26 days of any vacancy. The Professional Land Surveyor members  
27 shall be selected from a current list of candidates updated  
28 by June 1 of each year, as submitted by members of the land  
29 surveying profession and by affiliated organizations.

30 Members of the Board shall be immune from suit in any  
31 action based upon any disciplinary proceedings or other  
32 activities performed in good faith as members of the Board.

33 The Director may remove any member of the Board for  
34 misconduct, incompetence, neglect of duty, or for any reason

1 prescribed by law for removal of State Officials or for not  
2 attending 2 consecutive Board meetings.

3 (Source: P.A. 91-132, eff. 1-1-00.)

4 Section 225-335. The Illinois Roofing Industry Licensing  
5 Act is amended by changing Section 11.5 as follows:

6 (225 ILCS 335/11.5)

7 (Section scheduled to be repealed on January 1, 2006)

8 Sec. 11.5. The Roofing Advisory Board is created and  
9 shall consist of 8 persons, one of whom is a knowledgeable  
10 public member and 7 of whom have been issued licenses as  
11 roofing contractors by the Department. One of the 7 licensed  
12 roofing contractors on the Board shall represent a statewide  
13 association representing home builders and another of the 7  
14 licensed roofing contractors shall represent an association  
15 predominately representing retailers. The public member  
16 shall not be licensed under this Act or any other Act the  
17 Department administers. Each member shall be appointed by  
18 the Director. Members shall be appointed who reasonably  
19 represent the different geographic areas of the State.

20 Members of the Roofing Advisory Board shall be immune  
21 from suit in any action based upon any disciplinary  
22 proceedings or other acts performed in good faith as members  
23 of the Roofing Advisory Board, unless the conduct that gave  
24 rise to the suit was willful and wanton misconduct.

25 The persons appointed shall hold office for 4 years and  
26 until a successor is appointed and qualified. The initial  
27 terms shall begin July 1, 1997. Of the members of the Board  
28 first appointed, 2 shall be appointed to serve for 2 years, 2  
29 shall be appointed to serve for 3 years, and 3 shall be  
30 appointed to serve for 4 years. No member shall serve more  
31 than 2 complete 4 year terms.

32 Within 90 days of a vacancy occurring, the Director shall

1 fill the vacancy for the unexpired portion of the term with  
2 an appointee who meets the same qualifications as the person  
3 whose position has become vacant. The Board shall meet  
4 annually to elect one member as chairman and one member as  
5 vice-chairman. No officer shall be elected more than twice  
6 in succession to the same office. The members of the Board  
7 shall receive no compensation for their service, but shall  
8 receive reimbursement for actual, necessary, and authorized  
9 expenses incurred in attending the meetings of the Board. A  
10 member of the Board who experiences a significant financial  
11 hardship due to the loss of income on days of attendance at  
12 meetings or while otherwise engaged in the business of the  
13 Board may be paid a hardship allowance, as determined by and  
14 subject to the approval of the Governor's Travel Control  
15 Board.

16 (Source: P.A. 91-950, eff. 2-9-01.)

17 Section 225-340. The Structural Engineering Practice Act  
18 of 1989 is amended by changing Section 7 as follows:

19 (225 ILCS 340/7) (from Ch. 111, par. 6607)

20 (Section scheduled to be repealed on January 1, 2010)

21 Sec. 7. The Director shall appoint a Structural  
22 Engineering Board which shall consist of 6 members. Five  
23 members shall be Illinois licensed structural engineers, who  
24 have been engaged in the practice of structural engineering  
25 for a minimum of 10 years, and one shall be a public member.  
26 The public member shall be a voting member and shall not hold  
27 a license as an architect, professional engineer, structural  
28 engineer or land surveyor.

29 Members shall serve 5 year terms and until their  
30 successors are appointed and qualified.

31 In making the designation of persons to act, the Director  
32 shall give due consideration to recommendations by members of

1 the profession and by organizations of the structural  
2 engineering profession.

3 The membership of the Board should reasonably reflect  
4 representation from the geographic areas in this State.

5 No member shall be reappointed to the Board for a term  
6 which would cause his or her continuous service on the Board  
7 to be longer than 14 successive years. Service prior to the  
8 effective date of this Act shall not be considered in  
9 calculating length of service.

10 Members of the Board shall receive no compensation for  
11 their service, but may be reimbursed for reasonable and  
12 necessary expenses incurred in the course of that service.

13 A member of the Board who experiences a significant  
14 financial hardship due to the loss of income on days of  
15 attendance at meetings or while otherwise engaged in the  
16 business of the Board may be paid a hardship allowance, as  
17 determined by and subject to the approval of the Governor's  
18 Travel Control Board.

19 Appointments to fill vacancies shall be made in the same  
20 manner as original appointments, for the unexpired portion of  
21 the vacated term. Initial terms under this Act shall begin  
22 upon the expiration of the terms of Committee members  
23 appointed under The Illinois Structural Engineering Act.

24 Persons holding office as members of the Board under this  
25 Act on the effective date of this Act shall serve as members  
26 of the Board under this Act until the expiration of the term  
27 for which they were appointed and until their successors are  
28 appointed and qualified under this Act.

29 A quorum of the Board shall consist of a majority of  
30 Board members appointed. A majority of the quorum is  
31 required for Board decisions.

32 The Director may terminate the appointment of any member  
33 for cause which in the opinion of the Director reasonably  
34 justifies such termination, which may include, but is not



1 limited to, a Board member who does not attend 2 consecutive  
2 meetings.

3 Notice of proposed rulemaking shall be transmitted to the  
4 Board and the Department shall review the response of the  
5 Board and any recommendations made therein. The Department  
6 may, at any time, seek the expert advice and knowledge of the  
7 Board on any matter relating to the administration or  
8 enforcement of this Act.

9 Members of the Board shall be immune from suit in any  
10 action based upon any disciplinary proceedings or other  
11 activities performed in good faith as members of the Board.

12 Whenever the Director is not satisfied that substantial  
13 justice has been done in an examination, the Director may  
14 order a reexamination by the same or other examiners.

15 (Source: P.A. 91-91, eff. 1-1-00; 92-237, eff. 8-3-01.)

16 Section 225-407. The Auction License Act is amended by  
17 changing Section 30-30 as follows:

18 (225 ILCS 407/30-30)

19 (Section scheduled to be repealed on January 1, 2010)

20 Sec. 30-30. Auction Advisory Board.

21 (a) There is hereby created the Auction Advisory Board.  
22 The Advisory Board shall consist of 7 members and shall be  
23 appointed by the Commissioner. In making the appointments,  
24 the Commissioner shall give due consideration to the  
25 recommendations by members and organizations of the industry,  
26 including but not limited to the Illinois State Auctioneers  
27 Association. Four members of the Advisory Board shall be  
28 licensed auctioneers, except that for the initial  
29 appointments, these members may be persons without a license,  
30 but who have been auctioneers for at least 5 years preceding  
31 their appointment to the Advisory Board. One member shall be  
32 a public member who represents the interests of consumers and

1 who is not licensed under this Act or the spouse of a person  
2 licensed under this Act or who has any responsibility for  
3 management or formation of policy of or any financial  
4 interest in the auctioneering profession or any other  
5 connection with the profession. One member shall be actively  
6 engaged in the real estate industry and licensed as a broker  
7 or salesperson. One member shall be the Director of Auction  
8 Regulation, ex-officio, and shall serve as the Chairperson of  
9 the Advisory Board.

10 (b) Members shall be appointed for a term of 4 years,  
11 except that of the initial appointments, 3 members shall be  
12 appointed to serve a term of 3 years and 4 members shall be  
13 appointed to serve a term of 4 years, including the Director.  
14 The Commissioner shall fill a vacancy for the remainder of  
15 any unexpired term. Each member shall serve on the Advisory  
16 Board until his or her successor is appointed and qualified.  
17 No person shall be appointed to serve more than 2 terms,  
18 including the unexpired portion of a term due to vacancy. To  
19 the extent practicable, the Commissioner shall appoint  
20 members to insure that the various geographic regions of the  
21 State are properly represented on the Advisory Board.

22 (c) A majority of the Advisory Board members currently  
23 appointed shall constitute a quorum. A vacancy in the  
24 membership of the Advisory Board shall not impair the right  
25 of a quorum to exercise all of the rights and perform all the  
26 duties of the Board.

27 (d) Each member of the Advisory Board shall serve  
28 without compensation but receive--a-per-diem-stipend-in-an  
29 amount-to-be-determined-by--the--Commissioner.---Each--member  
30 shall be paid his or her necessary expenses while engaged in  
31 the performance of his or her duties. A member of the  
32 Advisory Board who experiences a significant financial  
33 hardship due to the loss of income on days of attendance at  
34 meetings or while otherwise engaged in the business of the

1 Advisory Board may be paid a hardship allowance, as  
2 determined by and subject to the approval of the Governor's  
3 Travel Control Board.

4 (e) Members of the Advisory Board shall be immune from  
5 suit in an action based upon any disciplinary proceedings or  
6 other acts performed in good faith as members of the Advisory  
7 Board.

8 (f) The Advisory Board shall meet monthly or as convened  
9 by the Chairperson.

10 (g) The Advisory Board shall advise the OBRE on matters  
11 of licensing and education and make recommendations to the  
12 OBRE on those matters and shall hear and make recommendations  
13 to the Commissioner on disciplinary matters that require a  
14 formal evidentiary hearing.

15 (h) The Commissioner shall give due consideration to all  
16 recommendations of the Advisory Board.

17 (Source: P.A. 91-603, eff. 1-1-00.)

18 Section 225-410. The Barber, Cosmetology, Esthetics, and  
19 Nail Technology Act of 1985 is amended by changing Section  
20 4-2 as follows:

21 (225 ILCS 410/4-2) (from Ch. 111, par. 1704-2)

22 (Section scheduled to be repealed on January 1, 2006)

23 Sec. 4-2. The Barber, Cosmetology, Esthetics, and Nail  
24 Technology Committee. There is established within the  
25 Department the Barber, Cosmetology, Esthetics, and Nail  
26 Technology Committee, composed of 11 persons designated from  
27 time to time by the Director to advise the Director in all  
28 matters related to the practice of barbering, cosmetology,  
29 esthetics, and nail technology.

30 The 11 members of the Committee shall be appointed as  
31 follows: 6 licensed cosmetologists, all of whom hold a  
32 current license as a cosmetologist or cosmetology teacher

1 and, for appointments made after the effective date of this  
2 amendatory Act of 1996, at least 2 of whom shall be an owner  
3 of or a major stockholder in a school of cosmetology, one of  
4 whom shall be a representative of a franchiser with 5 or more  
5 locations within the State, one of whom shall be a  
6 representative of an owner operating salons in 5 or more  
7 locations within the State, one of whom shall be an  
8 independent salon owner, and no one of the cosmetologist  
9 members shall be a manufacturer, jobber, or stockholder in a  
10 factory of cosmetology articles or an immediate family member  
11 of any of the above; 2 of whom shall be barbers holding a  
12 current license; one member who shall be a licensed  
13 esthetician or esthetics teacher; one member who shall be a  
14 licensed nail technician or nail technology teacher; and one  
15 public member who holds no licenses issued by the Department.  
16 The Director shall give due consideration for membership to  
17 recommendations by members of the professions and by their  
18 professional organizations. Members shall serve 4 year terms  
19 and until their successors are appointed and qualified. No  
20 member shall be reappointed to the Committee for more than 2  
21 terms. Appointments to fill vacancies shall be made in the  
22 same manner as original appointments for the unexpired  
23 portion of the vacated term. Members of the Committee in  
24 office on the effective date of this amendatory Act of 1996  
25 shall continue to serve for the duration of the terms to  
26 which they have been appointed, but beginning on that  
27 effective date all appointments of licensed cosmetologists  
28 and barbers to serve as members of the Committee shall be  
29 made in a manner that will effect at the earliest possible  
30 date the changes made by this amendatory Act of 1996 in the  
31 representative composition of the Committee.

32 Members of the Board shall receive no compensation for  
33 their service, but may be reimbursed for reasonable and  
34 necessary expenses incurred in the course of that service.

1 A member of the Committee who experiences a significant  
2 financial hardship due to the loss of income on days of  
3 attendance at meetings or while otherwise engaged in the  
4 business of the Committee may be paid a hardship allowance,  
5 as determined by and subject to the approval of the  
6 Governor's Travel Control Board.

7 Whenever the Director is satisfied that substantial  
8 justice has not been done in an examination, the Director may  
9 order a reexamination by the same or other examiners.

10 (Source: P.A. 89-387, eff. 1-1-96; 89-706, eff. 1-31-97;  
11 90-580, eff. 5-21-98.)

12 Section 225-415. The Illinois Certified Shorthand  
13 Reporters Act of 1984 is amended by changing Section 8 as  
14 follows:

15 (225 ILCS 415/8) (from Ch. 111, par. 6208)

16 (Section scheduled to be repealed on January 1, 2004)

17 Sec. 8. The Director shall appoint a certified Shorthand  
18 Reporters Board as follows: 7 persons who shall be appointed  
19 by and shall serve in an advisory capacity to the Director.  
20 Six members must be certified shorthand reporters, in good  
21 standing, and actively engaged in the practice of shorthand  
22 reporting in this State for ten years, and one member must be  
23 a member of the public who is not certified under this Act,  
24 or a similar Act of another jurisdiction.

25 Members shall serve 4 year terms and until their  
26 successors are appointed and qualified, except that of the  
27 initial appointments, one member shall be appointed to serve  
28 for one year, 2 shall be appointed to serve for 2 years, 2  
29 shall be appointed to serve for 3 years, and the remaining  
30 one, who shall be the public member, shall be appointed to  
31 serve for 4 years, until their successors are appointed and  
32 qualified. No member shall be reappointed to the Board for a

1 term that would cause his continuous service on the Board to  
2 be longer than 8 successive years. Service prior to the  
3 effective date of this amendatory Act of 1991 shall be  
4 considered. Appointments to fill vacancies shall be made in  
5 the same manner as original appointments, for the unexpired  
6 portion of the vacated term. Initial terms shall begin upon  
7 the effective date of this Act.

8 The membership of the Board should reasonably reflect  
9 representation from the geographic areas in this State. In  
10 making appointments to the Board, the Director shall give  
11 consideration to recommendations by national and State  
12 organizations of the shorthand reporter profession and shall  
13 promptly give notice to such organizations of any vacancy in  
14 the membership of the Board.

15 Members of the Board shall receive no compensation for  
16 their service, but may be reimbursed for reasonable and  
17 necessary expenses incurred in the course of that service.

18 A member of the Board who experiences a significant  
19 financial hardship due to the loss of income on days of  
20 attendance at meetings or while otherwise engaged in the  
21 business of the Board may be paid a hardship allowance, as  
22 determined by and subject to the approval of the Governor's  
23 Travel Control Board.

24 The Director may terminate the appointment of any member  
25 for cause which in the opinion of the Director reasonably  
26 justifies such termination.

27 The Director shall consider the recommendations of the  
28 Board on questions involving standards of professional  
29 conduct, discipline and qualifications of candidates and  
30 certificate holders under this Act.

31 The Director may remove any member who fails to attend 3  
32 consecutive meetings unless the member has a medical excuse.

33 (Source: P.A. 91-827, eff. 6-13-00.)

1 Section 225-425. The Collection Agency Act is amended by  
2 changing Section 13.1 as follows:

3 (225 ILCS 425/13.1) (from Ch. 111, par. 2038.1)

4 (Section scheduled to be repealed on January 1, 2006)

5 Sec. 13.1. Collection Agency Licensing and Disciplinary  
6 Board. There is created in the Department the Collection  
7 Agency Licensing and Disciplinary Board composed of 7 members  
8 appointed by the Director. Five members of the Board shall be  
9 employed in a collection agency registered under this Act and  
10 2 members of the Board shall represent the general public and  
11 shall not be employed by or possess an ownership interest in  
12 any collection agency registered under this Act.

13 The Board shall elect a chairman from among its members  
14 and shall meet at least twice each year. The members of the  
15 Board shall receive no compensation for their services, but  
16 shall be reimbursed for their actual expenses incurred in the  
17 performance of their duties. A member of the Board who  
18 experiences a significant financial hardship due to the loss  
19 of income on days of attendance at meetings or while  
20 otherwise engaged in the business of the Board may be paid a  
21 hardship allowance, as determined by and subject to the  
22 approval of the Governor's Travel Control Board.

23 Members shall serve for a term of 4 years and until their  
24 successors are appointed and qualified. No Board member,  
25 after the effective date of this amendatory Act of 1995,  
26 shall be appointed to more than 2 full consecutive terms.  
27 The initial terms created by this amendatory Act of 1995  
28 shall count as full terms for the purposes of reappointment  
29 to the Board. Appointments to fill vacancies for the  
30 unexpired portion of a vacated term shall be made in the same  
31 manner as original appointments.

32 The appointments of those Board members currently  
33 appointed shall end upon the effective date of this

1 amendatory Act of 1995, and those Board members currently  
2 sitting at the effective date of this amendatory Act of 1995,  
3 shall be reappointed to the following terms by and in the  
4 discretion of the Director:

5 (1) one member shall be appointed for one year;

6 (2) two members shall be appointed to serve 2  
7 years;

8 (3) two members shall be appointed to serve 3  
9 years; and

10 (4) two members shall be appointed to serve for 4  
11 years.

12 All members shall serve until their successors are appointed  
13 and qualified.

14 The Board members appointed to terms by this amendatory  
15 Act of 1995 shall be appointed as soon as possible after the  
16 effective date of this amendatory Act of 1995.

17 (Source: P.A. 89-387, eff. 1-1-96.)

18 Section 225-441. The Home Inspector License Act is  
19 amended by changing Section 25-10 as follows:

20 (225 ILCS 441/25-10)

21 (Section scheduled to be repealed on January 1, 2012)

22 Sec. 25-10. Home Inspector Advisory Board.

23 (a) There is hereby created the Home Inspector Advisory  
24 Board. The Board shall be composed of 7 voting members  
25 appointed by the Commissioner, plus the liaison under Section  
26 25-15, who shall serve ex officio and without vote. Members  
27 shall be appointed to the Board subject to the following  
28 conditions:

29 (1) All appointed members shall have been residents  
30 and citizens of this State for at least 5 years prior to  
31 the date of appointment.

32 (2) The appointed membership of the Board should



1 reasonably reflect the geographic distribution of the  
2 population of the State.

3 (3) Five appointed members shall be actively  
4 engaged and currently licensed as home inspectors, except  
5 that the initial appointees may be persons without a  
6 license who have been actively engaged as home inspectors  
7 for a period of 5 years immediately before the effective  
8 date of this Act. Failure of an initial appointee under  
9 this item (3) to obtain a license by January 1, 2003  
10 shall constitute resignation from the Board.

11 (4) One appointed member shall hold a valid license  
12 as a real estate broker and shall have been actively  
13 engaged as a real estate broker for a period of not less  
14 than 5 years.

15 (5) One appointed member shall represent the  
16 interests of the general public. This member and the  
17 member's spouse shall not be licensed under this Act, nor  
18 be employed by nor have any interest in a home inspection  
19 business or a real estate brokerage business.

20 In making appointments to the Board, the Commissioner  
21 shall give due consideration to recommendations by members  
22 and organizations representing the home inspection and real  
23 estate industries.

24 (b) The term for members of the Board shall be 4 years,  
25 except for the initial appointees. Of the initial  
26 appointees, 4 members shall be appointed for terms ending  
27 January 1, 2007 and 3 members shall be appointed for terms  
28 ending January 1, 2006. No member shall serve more than 10  
29 years in a lifetime.

30 (c) The Commissioner may terminate the appointment of  
31 any member for cause that, in the opinion of the  
32 Commissioner, reasonably justifies the termination. Cause for  
33 termination may include, without limitation, misconduct,  
34 incapacity, neglect of duty, or missing 4 Board meetings

1 during any one calendar year.

2 (d) A majority of the voting members currently appointed  
3 shall constitute a quorum. A vacancy in the membership of  
4 the Board shall not impair the right of a quorum to exercise  
5 all of the rights and perform all of the duties of the Board.

6 (e) The Board shall meet at least quarterly and may be  
7 convened by the Chairperson or 3 members of the Board upon 10  
8 days' written notice.

9 (g) The liaison appointed pursuant to Section 25-15 of  
10 this Act shall serve, ex officio, as Chairperson of the  
11 Board, without vote.

12 (h) The Board shall advise OBRE on matters of licensing  
13 and education and shall make recommendations to OBRE on those  
14 matters. OBRE shall give due consideration to all  
15 recommendations presented by the Board.

16 (i) The Board shall hear and make recommendations to the  
17 Commissioner on disciplinary matters that require a formal  
18 evidentiary hearing. The Commissioner shall give due  
19 consideration to the recommendations of the Board involving  
20 discipline and questions about the standards of professional  
21 conduct of licensees.

22 (j) The Board may make recommendations to OBRE  
23 concerning the consistency of the rules with the provisions  
24 of this Act and the administration and enforcement of the  
25 rules. OBRE shall give due consideration to the  
26 recommendations of the Board prior to promulgating rules.

27 (k) The Board shall make recommendations to OBRE on the  
28 approval of courses submitted to OBRE pursuant to this Act  
29 and rules. OBRE shall give due consideration to the  
30 recommendations of the Board prior to approving courses.

31 (l) Members of the Board shall receive no compensation  
32 for their service, but voting members shall be reimbursed for  
33 Each-voting-member-of-the-Board--shall--receive--a--per--diem  
34 stipend--in--an--amount-to-be-determined-by-the-Commissioner.

1 ~~Each voting member shall be paid his or her~~ necessary  
2 expenses while engaged in the performance of their his-or-her  
3 duties. A member of the Board who experiences a significant  
4 financial hardship due to the loss of income on days of  
5 attendance at meetings or while otherwise engaged in the  
6 business of the Board may be paid a hardship allowance, as  
7 determined by and subject to the approval of the Governor's  
8 Travel Control Board.

9 (m) Members of the Board shall be immune from suit in an  
10 action based upon any disciplinary proceedings or other acts  
11 performed in good faith as members of the Board.

12 (Source: P.A. 92-239, eff. 8-3-01.)

13 Section 225-446. The Private Detective, Private Alarm,  
14 Private Security, and Locksmith Act of 1993 is amended by  
15 changing Section 45 as follows:

16 (225 ILCS 446/45)

17 (Section scheduled to be repealed on December 31, 2003)

18 Sec. 45. Board; membership; terms; removal;  
19 compensation.

20 (a) The Board shall consist of 11 members appointed by  
21 the Director, 3 of whom shall be licensed private detectives,  
22 2 of whom shall be licensed private security contractors, 2  
23 of whom shall be licensed private alarm contractors, 2 of  
24 whom shall be licensed locksmiths, one of whom shall be a  
25 public member who is not licensed or registered under this  
26 Act or a similar Act of another jurisdiction and who has no  
27 connection with a business licensed under this Act, and one  
28 of whom shall represent the interests of employees who are  
29 registered under this Act. Each member shall be a resident  
30 of Illinois. Each licensed member shall have a minimum of 5  
31 years experience as a licensee in the professional area in  
32 which the person is licensed and be in good standing and

1 actively engaged in practice in that profession. In making  
2 Board appointments, the Director shall give consideration to  
3 the recommendations by members of the profession and by  
4 professional organizations. The membership shall reasonably  
5 reflect representation from geographic areas in this State.

6 (b) Members shall serve 4 year terms and may serve until  
7 their successors are appointed and qualified. No member shall  
8 be appointed to the Board for more than 2 terms.  
9 Appointments to fill vacancies shall be made in the same  
10 manner as original appointments for the unexpired portion of  
11 the vacated term. Members of the previous Board in office on  
12 the effective date of this Act shall serve for the duration  
13 of their term and may be appointed for one additional term  
14 under this Act.

15 (c) A member of the Board may be removed from office for  
16 just cause. A member subject to formal disciplinary  
17 proceedings shall disqualify himself or herself from Board  
18 business until the charge is resolved. A member also shall  
19 disqualify himself or herself from any matter on which the  
20 member may not objectively make a decision.

21 (d) Members shall receive no compensation for their  
22 service, but shall ~~compensation-as-set-by-law.--Each-member~~  
23 ~~shall-also~~ receive reimbursement as set by the Governors  
24 Travel Control Board for expenses incurred in carrying out  
25 the duties as a Board member. A member of the Board who  
26 experiences a significant financial hardship due to the loss  
27 of income on days of attendance at meetings or while  
28 otherwise engaged in the business of the Board may be paid a  
29 hardship allowance, as determined by and subject to the  
30 approval of the Governor's Travel Control Board.

31 (e) A majority of Board members then appointed  
32 constitutes a quorum. A majority vote of the quorum is  
33 required for a Board decision.

34 (f) The Board may elect a chairman and other officers it

1 considers necessary.

2 (g) Board members are not liable for any of their acts,  
3 omissions, decisions, or other conduct in connection with  
4 their duties on the Board, except those involving willful,  
5 wanton, or intentional misconduct.

6 (Source: P.A. 88-363; 89-366, eff. 1-1-96.)

7 Section 225-450. The Illinois Public Accounting Act is  
8 amended by changing Section 2 as follows:

9 (225 ILCS 450/2) (from Ch. 111, par. 5502)

10 (Section scheduled to be repealed on January 1, 2014)

11 (Text of Section before amendment by P.A. 92-457)

12 Sec. 2. Examinations. The University shall appoint a  
13 Board of Examiners that shall determine the qualifications of  
14 persons applying for certificates and shall make rules for  
15 and conduct examinations for determining the qualifications.

16 The Board shall consist of 9 examiners, at least 7 of  
17 whom shall be certified public accountants in this State who  
18 have been residents of this State for at least 5 years  
19 immediately preceding their appointment. One shall be either  
20 an accountant of the grade herein described or an attorney  
21 licensed and residing in this State and one shall be a  
22 certified public accountant who is an active or retired  
23 educator residing in this State. The term of office of each  
24 examiner shall be 3 years, except that upon the enactment of  
25 this amendatory Act of 1993, those members currently serving  
26 on the Board shall continue to serve the duration of their  
27 terms, one additional examiner shall be appointed for a term  
28 of one year, one additional examiner for a term of 2 years,  
29 and 2 additional examiners for a term of 3 years. As the  
30 term of each examiner expires, the appointment shall be  
31 filled for a term of 3 years from the date of expiration.  
32 Any Board member who has served as a member for 6 consecutive

1 years shall not be eligible for reappointment until 2 years  
2 after the end of the term in which the sixth consecutive year  
3 of service occurred.

4 Members of the Board shall receive no compensation for  
5 their service, but may be reimbursed for reasonable and  
6 necessary expenses incurred in the course of that service.

7 A member of the Board who experiences a significant  
8 financial hardship due to the loss of income on days of  
9 attendance at meetings or while otherwise engaged in the  
10 business of the Board may be paid a hardship allowance, as  
11 determined by and subject to the approval of the Governor's  
12 Travel Control Board.

13 The time and place of holding the examinations shall be  
14 determined by the Board and shall be duly advertised by the  
15 Board.

16 The examination shall test the applicant's knowledge of  
17 accounting, auditing, and other related subjects, if any, as  
18 the Board may deem advisable. A candidate must be examined  
19 in all subjects except that a candidate who has passed in 2  
20 or more subjects and who attained a minimum grade in each  
21 subject failed as may be established by Board regulations  
22 shall have the right to be re-examined in the remaining  
23 subjects at one or more of the next 6 succeeding  
24 examinations.

25 The Board may in certain cases waive or defer any of the  
26 requirements of this Section regarding the circumstances in  
27 which the various Sections of the examination must be passed  
28 upon a showing that, by reasons of circumstances beyond the  
29 applicant's control, the applicant was unable to meet the  
30 requirement.

31 Applicants may also be required to pass an examination on  
32 the rules of professional conduct, as determined by Board  
33 rule to be appropriate.

34 The examinations shall be given at least twice a year.

1 Any application, document or other information filed by  
2 or concerning an applicant and any examination grades of an  
3 applicant shall be deemed confidential and shall not be  
4 disclosed to anyone without the prior written permission of  
5 the applicant, except that it is hereby deemed in the public  
6 interest that the names and addresses only of all applicants  
7 shall be a public record and be released as public  
8 information. Nothing herein shall prevent the Board from  
9 making public announcement of the names of persons receiving  
10 certificates under this Act.

11 The Board shall adopt all necessary and reasonable rules  
12 and regulations for the effective administration of the  
13 Sections of this Act for which it is charged with  
14 administering. Without limiting the foregoing, the Board  
15 shall adopt and prescribe rules and regulations for a fair  
16 and wholly and impartial method of determining the  
17 qualifications of applicants for examination and for a fair  
18 and wholly and impartial method of examination of persons  
19 under Section 2 and may establish rules for subjects  
20 conditioned and for the transfer of credits from other  
21 jurisdictions with respect to subjects passed.

22 (Source: P.A. 88-36.)

23 (Text of Section after amendment by P.A. 92-457)

24 Sec. 2. Examinations. The Governor shall appoint a Board  
25 of Examiners that shall determine the qualifications of  
26 persons applying for certificates and shall make rules for  
27 and conduct examinations for determining the qualifications.  
28 The Board shall consist of not less than 9 nor more than 11  
29 examiners, as determined by Board rule, including 2 public  
30 members. The remainder shall be certified public accountants  
31 in this State who have been residents of this State for at  
32 least 5 years immediately preceding their appointment, except  
33 that one shall be either a certified public accountant of the  
34 grade herein described or an attorney licensed and residing

1 in this State and one shall be a certified public accountant  
2 who is an active or retired educator residing in this State.  
3 The term of office of each examiner shall be 3 years, except  
4 that upon the enactment of this amendatory Act of the 92nd  
5 General Assembly, those members currently serving on the  
6 Board shall continue to serve the duration of their terms,  
7 one additional examiner shall be appointed for a term of one  
8 year, one additional examiner for a term of 2 years, and any  
9 additional examiners for terms of 3 years. As the term of  
10 each examiner expires, the appointment shall be filled for a  
11 term of 3 years from the date of expiration. Any Board  
12 member who has served as a member for 6 consecutive years  
13 shall not be eligible for reappointment until 2 years after  
14 the end of the term in which the sixth consecutive year of  
15 service occurred, except that members of the Board serving on  
16 the effective date of this Section shall be eligible for  
17 appointment to one additional 3-year term. Where the  
18 expiration of any member's term shall result in less than 11  
19 members then serving on the Board, the member shall continue  
20 to serve until his or her successor is appointed and has  
21 qualified. The Governor may terminate the term of any member  
22 of the Board at any time for cause.

23 Members of the Board shall receive no compensation for  
24 their service, but may be reimbursed for reasonable and  
25 necessary expenses incurred in the course of that service.

26 A member of the Board who experiences a significant  
27 financial hardship due to the loss of income on days of  
28 attendance at meetings or while otherwise engaged in the  
29 business of the Board may be paid a hardship allowance, as  
30 determined by and subject to the approval of the Governor's  
31 Travel Control Board.

32 The time and place of holding the examinations shall be  
33 determined by the Board and shall be duly advertised by the  
34 Board.



1 The examination shall test the applicant's knowledge of  
2 accounting, auditing, and other related subjects, if any, as  
3 the Board may deem advisable. A candidate must be examined  
4 in all subjects except that a candidate who has passed in 2  
5 or more subjects and who attained a minimum grade in each  
6 subject failed as may be established by Board regulations  
7 shall have the right to be re-examined in the remaining  
8 subjects at one or more of the next 6 succeeding  
9 examinations.

10 The Board may in certain cases waive or defer any of the  
11 requirements of this Section regarding the circumstances in  
12 which the various Sections of the examination must be passed  
13 upon a showing that, by reasons of circumstances beyond the  
14 applicant's control, the applicant was unable to meet the  
15 requirement.

16 Applicants may also be required to pass an examination on  
17 the rules of professional conduct, as determined by Board  
18 rule to be appropriate.

19 The examinations shall be given at least twice a year.

20 Any application, document or other information filed by  
21 or concerning an applicant and any examination grades of an  
22 applicant shall be deemed confidential and shall not be  
23 disclosed to anyone without the prior written permission of  
24 the applicant, except that it is hereby deemed in the public  
25 interest that the names and addresses only of all applicants  
26 shall be a public record and be released as public  
27 information. Nothing herein shall prevent the Board from  
28 making public announcement of the names of persons receiving  
29 certificates under this Act.

30 The Board shall adopt all necessary and reasonable rules  
31 and regulations for the effective administration of this Act.  
32 Without limiting the foregoing, the Board shall adopt and  
33 prescribe rules and regulations for a fair and wholly and  
34 impartial method of determining the qualifications of

1 applicants for examination and for a fair and wholly and  
2 impartial method of examination of persons under Section 2  
3 and may establish rules for subjects conditioned and for the  
4 transfer of credits from other jurisdictions with respect to  
5 subjects passed.

6 (Source: P.A. 92-457, eff. 7-1-04.)

7 Section 225-454. The Real Estate License Act of 2000 is  
8 amended by changing Sections 25-10 and 30-10 as follows:

9 (225 ILCS 454/25-10)

10 (Section scheduled to be repealed on January 1, 2010)

11 Sec. 25-10. Real Estate Administration and Disciplinary  
12 Board; duties. There is created the Real Estate  
13 Administration and Disciplinary Board. The Board shall be  
14 composed of 9 persons appointed by the Governor. Members  
15 shall be appointed to the Board subject to the following  
16 conditions:

17 (1) All members shall have been residents and  
18 citizens of this State for at least 6 years prior to the  
19 date of appointment.

20 (2) Six members shall have been actively engaged as  
21 brokers or salespersons or both for at least the 10 years  
22 prior to the appointment.

23 (3) Three members of the Board shall be public  
24 members who represent consumer interests.

25 None of these members shall be a person who is licensed  
26 under this Act, the spouse of a person licensed under this  
27 Act, or a person who has an ownership interest in a real  
28 estate brokerage business. The members' terms shall be 4  
29 years and the expiration of their terms shall be staggered.  
30 Appointments to fill vacancies shall be for the unexpired  
31 portion of the term. A member may be reappointed for  
32 successive terms but no person shall be appointed to more

1 than 2 terms or any part thereof in his or her lifetime.  
2 Persons holding office as members of the Board immediately  
3 prior to December 31, 1999 under the Real Estate License Act  
4 of 1983 shall continue as members of the Board until the  
5 expiration of the term for which they were appointed and  
6 until their successors are appointed and qualified. The  
7 membership of the Board should reasonably reflect the  
8 geographic distribution of the licensee population in this  
9 State. In making the appointments, the Governor shall give  
10 due consideration to the recommendations by members and  
11 organizations of the profession. The Governor may terminate  
12 the appointment of any member for cause that in the opinion  
13 of the Governor reasonably justifies the termination. Cause  
14 for termination shall include without limitation misconduct,  
15 incapacity, neglect of duty, or missing 4 board meetings  
16 during any one calendar year.

17 Members of the Board shall receive no compensation for  
18 their service, but shall be reimbursed for ~~Each member of the~~  
19 ~~Board--shall--receive--a--per-diem-stipend-in-an-amount-to-be~~  
20 ~~determined-by-the-Commissioner.--Each-member--shall--be--paid~~  
21 ~~his---or---her~~ necessary expenses while engaged in the  
22 performance of his or her duties. A member of the Board who  
23 experiences a significant financial hardship due to the loss  
24 of income on days of attendance at meetings or while  
25 otherwise engaged in the business of the Board may be paid a  
26 hardship allowance, as determined by and subject to the  
27 approval of the Governor's Travel Control Board. Such  
28 ~~compensation-and~~ expenses shall be paid out of the Real  
29 Estate License Administration Fund.

30 The Commissioner shall consider the recommendations of  
31 the Board on questions involving standards of professional  
32 conduct, discipline, and examination of candidates under this  
33 Act. OBRE, after notifying and considering the  
34 recommendations of the Board, if any, may issue rules,

1 consistent with the provisions of this Act, for the  
2 administration and enforcement thereof and may prescribe  
3 forms that shall be used in connection therewith. None of the  
4 functions, powers, or duties enumerated in Sections 20-20 and  
5 30-5 and subsections (a) and (j) of Section 20-60 of this Act  
6 shall be exercised by OBRE except upon the action and report  
7 in writing of the Board.

8 (Source: P.A. 91-245, eff. 12-31-99.)

9 (225 ILCS 454/30-10)

10 (Section scheduled to be repealed on January 1, 2010)

11 Sec. 30-10. Advisory Council; powers and duties. There  
12 is created within OBRE an Advisory Council to be comprised of  
13 7 members appointed by the Governor for 4-year staggered  
14 terms. No member shall serve more than 8 years in a  
15 lifetime. Three of the members shall be licensees who are  
16 current members of the Board, one member shall be a  
17 representative of an Illinois real estate trade organization  
18 who is not a member of the Board, one member shall be a  
19 representative of a licensed pre-license school or continuing  
20 education school, and one member shall be a representative of  
21 an institution of higher education that offers pre-license  
22 and continuing education courses. The Director shall serve  
23 as the chairman of the Advisory Council, ex officio, without  
24 vote. The Advisory Council shall recommend criteria for the  
25 licensing of pre-license schools, pre-license instructors,  
26 continuing education schools, and continuing education  
27 instructors; review applications for these licenses to  
28 determine if the applicants meet the qualifications for  
29 licensure established in this Act and by rule; approve  
30 pre-license school and continuing education curricula; and  
31 make recommendations to the Board regarding rules to be  
32 adopted for the administration of the education provisions of  
33 this Act.

1 Members of the Advisory Council shall receive no  
2 compensation for their service, but may be reimbursed for  
3 reasonable and necessary expenses incurred in the course of  
4 that service.

5 A member of the Advisory Council who experiences a  
6 significant financial hardship due to the loss of income on  
7 days of attendance at meetings or while otherwise engaged in  
8 the business of the Advisory Council may be paid a hardship  
9 allowance, as determined by and subject to the approval of  
10 the Governor's Travel Control Board.

11 (Source: P.A. 91-245, eff. 12-31-99.)

12 Section 225-458. The Real Estate Appraiser Licensing Act  
13 of 2002 is amended by changing Section 25-10 as follows:

14 (225 ILCS 458/25-10)

15 (Section scheduled to be repealed on January 1, 2012)

16 Sec. 25-10. Real Estate Appraisal Board; appointment.

17 (a) There is hereby created the Real Estate Appraisal  
18 Board. The Board shall be composed of 10 persons appointed  
19 by the Governor, plus the Director of the Real Estate  
20 Appraisal Division. Members shall be appointed to the Board  
21 subject to the following conditions:

22 (1) All appointed members shall have been residents  
23 and citizens of this State for at least 5 years prior to  
24 the date of appointment.

25 (2) The appointed membership of the Board should  
26 reasonably reflect the geographic distribution of the  
27 population of the State.

28 (3) Four appointed members shall have been actively  
29 engaged and currently licensed as State certified general  
30 real estate appraisers for a period of not less than 5  
31 years.

32 (4) Two appointed members shall have been actively

1 engaged and currently licensed as State certified  
2 residential real estate appraisers for a period of not  
3 less than 5 years.

4 (5) Two appointed members shall hold a valid  
5 license as a real estate broker for at least 10 years  
6 prior to the date of the appointment and shall hold a  
7 valid appraiser license issued under this Act or a  
8 predecessor Act for a period of at least 5 years prior to  
9 the appointment.

10 (6) One appointed member shall be a representative  
11 of a financial institution, as evidenced by his or her  
12 employment with a financial institution.

13 (7) One appointed member shall represent the  
14 interests of the general public. This member or his or  
15 her spouse shall not be licensed under this Act nor be  
16 employed by or have any interest in an appraisal  
17 business, real estate brokerage business, or a financial  
18 institution.

19 In making appointments as provided in paragraphs (3) and  
20 (4) of this subsection, the Governor shall give due  
21 consideration to recommendations by members and organizations  
22 representing the real estate appraisal industry.

23 In making the appointments as provided in paragraph (5)  
24 of this subsection, the Governor shall give due consideration  
25 to the recommendations by members and organizations  
26 representing the real estate industry.

27 In making the appointment as provided in paragraph (6) of  
28 this subsection, the Governor shall give due consideration to  
29 the recommendations by members and organizations representing  
30 financial institutions.

31 (b) The term for members of the Board shall be 4 years,  
32 except for the initial appointees. Of the initial  
33 appointments, 4 members shall be appointed for terms ending  
34 June 30, 2006, 3 members shall be appointed for terms ending

1 June 30, 2005, and 3 members shall be appointed for terms  
2 ending June 30, 2004. No member shall serve more than 10  
3 years in a lifetime. Those persons serving on the Board  
4 pursuant to the Real Estate Appraiser Licensing Act shall  
5 become members of the new Board on July 1, 2002 and shall  
6 serve until the Governor has made the new appointments  
7 pursuant to this Act.

8 (c) The Governor may terminate the appointment of a  
9 member for cause that, in the opinion of the Governor,  
10 reasonably justifies the termination. Cause for termination  
11 may include, without limitation, misconduct, incapacity,  
12 neglect of duty, or missing 4 Board meetings during any one  
13 calendar year.

14 (d) A majority of the Board members currently appointed  
15 shall constitute a quorum. A vacancy in the membership of  
16 the Board shall not impair the right of a quorum to exercise  
17 all of the rights and perform all of the duties of the Board.

18 (e) The Board shall meet at least quarterly and may be  
19 convened by the Chairperson, Co-Chairperson, or 3 members of  
20 the Board upon 10 days written notice.

21 (f) The Board shall, annually at the first meeting of  
22 the fiscal year, elect a Chairperson and Vice-Chairperson  
23 from its members. The Chairperson shall preside over the  
24 meetings and shall coordinate with the Director in developing  
25 and distributing an agenda for each meeting. In the absence  
26 of the Chairperson, the Co-Chairperson shall preside over the  
27 meeting.

28 (g) The Director of the Real Estate Appraisal Division  
29 shall serve as a member of the Board without vote.

30 (h) The Board shall advise and make recommendations to  
31 OBRE on matters of licensing and education. OBRE shall give  
32 due consideration to all recommendations presented by the  
33 Board.

34 (i) The Board shall hear and make recommendations to the

1 Commissioner on disciplinary matters that require a formal  
2 evidentiary hearing. The Commissioner shall give due  
3 consideration to the recommendations of the Board involving  
4 discipline and questions involving standards of professional  
5 conduct of licensees.

6 (j) The Board may make recommendations to OBRE  
7 consistent with the provisions of this Act and for the  
8 administration and enforcement of the rules adopted pursuant  
9 to this Act. OBRE shall give due consideration to the  
10 recommendations of the Board prior to adopting rules.

11 (k) The Board shall make recommendations to OBRE on the  
12 approval of courses submitted to OBRE pursuant to this Act  
13 and the rules adopted pursuant to this Act. OBRE shall give  
14 due consideration to the recommendations of the Board prior  
15 to approving and licensing courses.

16 ~~(l) Each voting member of the Board shall receive a per~~  
17 ~~diem stipend in an amount to be determined by the~~  
18 ~~Commissioner. Each member shall receive no compensation for~~  
19 ~~his or her service on the Board but shall be paid his or her~~  
20 ~~necessary expenses while engaged in the performance of his or~~  
21 ~~her duties. A member of the Board who experiences a~~  
22 ~~significant financial hardship due to the loss of income on~~  
23 ~~days of attendance at meetings or while otherwise engaged in~~  
24 ~~the business of the Board may be paid a hardship allowance,~~  
25 ~~as determined by and subject to the approval of the~~  
26 ~~Governor's Travel Control Board.~~

27 (m) Members of the Board shall be immune from suit in an  
28 action based upon any disciplinary proceedings or other acts  
29 performed in good faith as members of the Board.

30 (Source: P.A. 92-180, eff. 7-1-02.)

31 Section 225-705. The Coal Mining Act is amended by  
32 changing Sections 2.01, 2.09, and 8.02 as follows:



1 (225 ILCS 705/2.01) (from Ch. 96 1/2, par. 301)

2 Sec. 2.01. State Mining Board. The Mining Board in the  
3 Department of Natural Resources shall administer this Act.  
4 Beginning on the effective date of this amendatory Act of the  
5 93rd General Assembly, the Mining Board shall assume the  
6 powers and duties of,~~---except---that---Article---8---shall---be~~  
7 ~~administered---by~~ the Miners' Examining Board under Article 8  
8 ~~in-the-Department.~~

9 (Source: P.A. 89-445, eff. 2-7-96.)

10 (225 ILCS 705/2.09) (from Ch. 96 1/2, par. 309)

11 Sec. 2.09. Meetings, quorum. Three members of the  
12 Mining Board, or the Director may call a meeting of the  
13 Mining Board at any time and at any place within the State.  
14 ~~Five~~ Four members of the Mining Board and the executive  
15 officer shall constitute a quorum. Only in case of a tie  
16 vote shall the executive officer ~~office-shall~~ have the right  
17 to vote.

18 (Source: P.A. 79-460.)

19 (225 ILCS 705/8.02) (from Ch. 96 1/2, par. 802)

20 Sec. 8.02. Miners' Examining Board abolished. On the  
21 effective date of this amendatory Act of the 93rd General  
22 Assembly, the Miners' Examining Board is abolished. On that  
23 date, all of the powers, duties, assets, liabilities,  
24 employees, contracts, property, records, pending business,  
25 and unexpended appropriations of the Miners' Examining Board  
26 are transferred to the State Mining Board.

27 For purposes of the Successor Agency Act, the State  
28 Mining Board is declared to be the successor agency of the  
29 Miners' Examining Board.

30 Beginning on the effective date of this amendatory Act of  
31 the 93rd General Assembly, references to the Miners'  
32 Examining Board shall, in appropriate contexts, be deemed to

1 refer to the State Mining Board.

2 Any rules of the Miners' Examining Board in effect on the  
3 effective date of this amendatory Act of the 93rd General  
4 Assembly shall be deemed rules of the State Mining Board.

5 ~~There--is-created-in-the-Department-of-Natural-Resources,~~  
6 ~~Office-of-Mines-and-Minerals,~~ a Miners' Examining Board which  
7 shall consist--of--four--miners'--examining--officers--to--be  
8 appointed--by--the--Governor, for a term of 2 years and until  
9 their successors--are--appointed--and--qualified.---Terms--of  
10 office--shall--commence--on--the--third--Monday--in--January--in--each  
11 odd-numbered-year.---Three--of--such--officers--shall--constitute--a  
12 quorum.

13 ~~This amendatory Act of 1995 does not affect the terms--of~~  
14 ~~members--of--the--Miners'--Examining--Board--holding--office--on--the~~  
15 ~~effective date of this amendatory Act of 1995.~~

16 A complete record of the proceedings and acts of the  
17 Miners' Examining Board shall be kept and preserved by the  
18 State Mining Board.

19 ~~Said officers shall hold no--other--lucrative--office--or~~  
20 ~~employment--under--the--government--of--the--United--States,~~ State  
21 ~~of--Illinois,~~ or any political division thereof or any  
22 municipal corporation therein and each--such--officer--before  
23 entering--upon--the--duties--of--his--office--shall--subscribe--and  
24 take the oath prescribed by the Constitution of--this--State,  
25 and--shall--before--entering--upon--the--duties--of--his--office--give  
26 a bond with sufficient surety to be approved by the Governor,  
27 payable to the People of the State of Illinois in--the--penal  
28 sum--of--\$5,000, conditioned for the faithful discharge of the  
29 duties of office and the--delivery--of--all--records,--books,  
30 moneys,--and--other--property--pertaining--to--his--successor--in  
31 office, which said bond shall be deposited in the--office--of  
32 the--Secretary--of--State.---Vacancies--shall--be--filled--by  
33 appointment--as--provided--herein--for--the--balance--of--the  
34 unexpired term.

1 (Source: P.A. 89-445, eff. 2-7-96.)

2 (225 ILCS 705/8.03 rep.)

3 (225 ILCS 705/8.04 rep.)

4 (225 ILCS 705/8.05 rep.)

5 Section 225-705A. Sections 8.03, 8.04, and 8.05 of the  
6 Coal Mining Act are repealed.

7 Section 225-720. The Surface Coal Mining Land  
8 Conservation and Reclamation Act is amended by changing  
9 Section 1.04 as follows:

10 (225 ILCS 720/1.04) (from Ch. 96 1/2, par. 7901.04)

11 Sec. 1.04. Advisory Council on Reclamation.

12 (a) There is created the Surface Mining Advisory Council  
13 to consist of 9 members, plus the Director or his or her  
14 designee. Members of the Advisory Council shall be appointed  
15 by the Governor, with the advice and consent of the Senate.  
16 The members appointed to the Council shall represent the  
17 following interests: conservation, agriculture, surface coal  
18 mining industry, local government, environmental protection,  
19 the colleges and universities, underground coal mining  
20 industry, labor, and the general public. The members shall  
21 be knowledgeable concerning the nature of problems of mining  
22 operations and reclamation. The Council shall select from  
23 its members a chairperson and such other officers as it deems  
24 necessary. The term of membership on the Advisory Council  
25 shall be 3 years, except that the Governor may make initial  
26 appointments or fill vacancies for lesser terms so that at  
27 least 3 memberships expire annually. Members may be  
28 reappointed. Vacancies occurring on the Advisory Council  
29 shall be filled, as nearly as possible, with a person  
30 representing the interest of his or her predecessor on the  
31 Advisory Council.

1 Members of the Council shall be reimbursed for ordinary  
2 and necessary expenses incurred in the performance of the  
3 Council's duties. A member of the Council who experiences a  
4 significant financial hardship due to the loss of income on  
5 days of attendance at meetings or while otherwise engaged in  
6 the business of the Council may be paid a hardship allowance,  
7 as determined by and subject to the approval of the  
8 Governor's Travel Control Board. ~~Members--of--the--Council~~  
9 ~~shall,--in--addition,--receive--\$100--a--day--for--each--day--spent--in~~  
10 ~~the--performance--of--their--duties--as--Advisory--Council--members.~~

11 (b) The Advisory Council shall meet at least 3 times in  
12 each calendar year on a date specified at least one week in  
13 advance of the meeting. A meeting may be called by the  
14 Director or on the request of a majority of Advisory Council  
15 members.

16 (c) The Council shall act solely as an advisory body to  
17 the Director and to the Land Reclamation Division of the  
18 Office of Mines and Minerals within the Department. The  
19 recommendations of the Council shall have no binding effect  
20 on the Director or on the Division of Land Reclamation. The  
21 advice, findings and recommendations of the Advisory Council  
22 shall be made public in a semi-annual report published by the  
23 Department.

24 (d) The Department shall present proposed rules related  
25 to this Act, and proposed changes in such rules, to the  
26 Advisory Council for its comments before putting such rules  
27 or changes into effect, except for circumstances of emergency  
28 or other circumstances enumerated in subsection 5(b), (d) and  
29 (e) of The Illinois Administrative Procedure Act.

30 (e) The Council shall review the Federal Act and the  
31 development and implementation of an approved permanent State  
32 program thereunder. The Council shall make its review and  
33 written recommendations to the Director. The Council may  
34 seek comment from affected persons and the public prior to

1 making its recommendations.

2 (f) If as a result of any final action by the Congress  
3 of the United States, any agency of the United States, or any  
4 court, any provision of the Federal Act or the Regulations is  
5 amended, modified, construed, or rendered inapplicable to  
6 mining and reclamation operations in this State, the Director  
7 shall forthwith call a meeting of the Council. The Council  
8 shall review such final action and its effect in this State.  
9 The Council shall recommend changes in this Act and the rules  
10 adopted under this Act which would cause application of this  
11 Act to reflect such final action. Pending formal amendment  
12 of this Act for reason stated in this subsection, the  
13 Director may administer this Act by emergency regulations in  
14 accordance with the purposes of this Act and in a manner  
15 consistent with any such final action of Congress, a federal  
16 agency or a court.

17 (Source: P.A. 90-490, eff. 8-17-97.)

18 Section 225-745. The Professional Geologist Licensing  
19 Act is amended by changing Section 35 as follows:

20 (225 ILCS 745/35)

21 (Section scheduled to be repealed on January 1, 2006)

22 Sec. 35. Board of Licensing for Professional Geologists;  
23 members; qualifications; duties.

24 (a) The Director shall appoint a Board of Licensing for  
25 Professional Geologists which shall serve in an advisory  
26 capacity to the Director. The Board shall be composed of 8  
27 persons, 7 of whom shall be voting members appointed by the  
28 Director, who shall give due consideration to recommendations  
29 by members of the profession of geology and of geology  
30 organizations within the State. In addition, the State  
31 Geologist or his or her designated representative, shall be  
32 an advisory, non-voting member of the Board.

1 (b) Insofar as possible, the geologists appointed to  
2 serve on the Board shall be generally representative of the  
3 occupational and geographical distribution of geologists  
4 within this State.

5 (c) Of the 7 appointed voting members of the Board, 6  
6 shall be geologists and one shall be a member of the general  
7 public with no family or business connection with the  
8 practice of geology.

9 (d) Each of the first appointed geologist members of the  
10 Board shall have at least 10 years of active geological  
11 experience and shall possess the education and experience  
12 required for licensure. Each subsequently appointed  
13 geologist member of the Board shall be a professional  
14 geologist licensed under this Act.

15 (e) Of the initial appointments, the Director shall  
16 appoint 3 voting members for a term of 4 years, 2 voting  
17 members for a term of 3 years, and 2 voting members for a  
18 term of 2 years. Thereafter, voting members shall be  
19 appointed for 4-year terms. Terms shall commence on the 3rd  
20 Monday in January.

21 (f) Members shall hold office until the expiration of  
22 their terms or until their successors have been appointed and  
23 have qualified.

24 (g) No voting member of the Board shall serve more than  
25 2 consecutive full terms.

26 (h) Vacancies in the membership of the Board shall be  
27 filled by appointment for the unexpired term.

28 (i) The Director may remove or suspend any member of the  
29 Board for cause at any time before the expiration of his or  
30 her term.

31 (j) The Board shall annually elect one of its members as  
32 chairperson.

33 (k) The members of the Board shall receive no  
34 compensation for their service, but shall be reimbursed for

1 all legitimate and necessary expenses authorized by the  
2 Department incurred in attending the meetings of the Board. A  
3 member of the Board who experiences a significant financial  
4 hardship due to the loss of income on days of attendance at  
5 meetings or while otherwise engaged in the business of the  
6 Board may be paid a hardship allowance, as determined by and  
7 subject to the approval of the Governor's Travel Control  
8 Board.

9 (l) The Board may make recommendations to the Director  
10 to establish the examinations and their method of grading.

11 (m) The Board may submit written recommendations to the  
12 Director concerning formulation of rules and a Code of  
13 Professional Conduct and Ethics. The Board may recommend or  
14 endorse revisions and amendments to the Code and to the rules  
15 from time to time.

16 (n) The Board may make recommendations on matters  
17 relating to continuing education of licensed professional  
18 geologists, including the number of hours necessary for  
19 license renewal, waivers for those unable to meet that  
20 requirement, and acceptable course content. These  
21 recommendations shall not impose an undue burden on the  
22 Department or an unreasonable restriction on those seeking a  
23 license renewal.

24 (Source: P.A. 89-366, eff. 7-1-96.)

25 Section 230-5. The Illinois Horse Racing Act of 1975 is  
26 amended by changing Sections 4, 5, 9, and 13 as follows:

27 (230 ILCS 5/4) (from Ch. 8, par. 37-4)

28 Sec. 4. Appointment of Board.

29 (a) Until July 1, 2003 or when all of the new members to  
30 be initially appointed under this amendatory Act of the 93rd  
31 General Assembly have been appointed by the Governor,  
32 whichever occurs later, the Board shall consist of 11 members

1 to be appointed by the Governor with the advice and consent  
2 of the Senate, not more than 6 of whom shall be of the same  
3 political party, and one of whom shall be designated by the  
4 Governor to be chairman.

5 The term of each appointed member of the Board who is in  
6 office on June 30, 2003 shall terminate at the close of  
7 business on that date or when all of the new members to be  
8 initially appointed under this amendatory Act of the 93rd  
9 General Assembly have been appointed by the Governor,  
10 whichever occurs later.

11 (b) Beginning on July 1, 2003 or when all of the new  
12 members to be initially appointed under this amendatory Act  
13 of the 93rd General Assembly have been appointed by the  
14 Governor, whichever occurs later, the Board shall consist of  
15 7 members to be appointed by the Governor with the advice and  
16 consent of the Senate, not more than 4 of whom shall be of  
17 the same political party, and one of whom shall be designated  
18 by the Governor to be chairman.

19 (c) Each member shall have a reasonable knowledge of  
20 harness or thoroughbred racing practices and procedure and of  
21 the principles of harness or thoroughbred racing and breeding  
22 and, at the time of his appointment, shall be a resident of  
23 the State of Illinois and shall have resided therein for a  
24 period of at least 5 years next preceding his appointment and  
25 qualification and he shall be a qualified voter therein and  
26 not less than 25 years of age.

27 (Source: P.A. 91-798, eff. 7-9-00.)

28 (230 ILCS 5/5) (from Ch. 8, par. 37-5)

29 Sec. 5. Terms; expenses.

30 (a) Of the members initially appointed pursuant to this  
31 amendatory Act of the 93rd General Assembly, 2 shall be  
32 appointed for terms expiring July 1, 2005; 2 shall be  
33 appointed for terms expiring July 1, 2007; and 3 shall be



1 appointed for terms expiring July 1, 2009. As--seen--as  
2 practicable--following--the-effective-date-of-this-amendatory  
3 Act-of-1995, the Governor shall appoint, with the advice--and  
4 consent--of--the--Senate, members to the Board as follows: 3  
5 members for terms expiring July 1, 1996; 3 members for terms  
6 expiring July 1, 1998; and 3 members for terms expiring July  
7 1, 2000. Of the 2 additional members appointed pursuant to  
8 this amendatory Act of the 91st General Assembly, the initial  
9 term of one member shall expire on July 1, 2002 and the  
10 initial term of the other member shall expire on July 1,  
11 2004. Thereafter, the terms of office of the Board members  
12 shall be 6 years. Incumbent members on the effective date of  
13 this amendatory Act of 1995 shall continue to serve only  
14 until their successors are appointed and have qualified.

15 Each member of the Board shall receive \$300 per day for  
16 each day the Board meets and for each day the member conducts  
17 a hearing pursuant to Section 16 of this Act, provided that  
18 no Board member shall receive more than \$5,000 in such fees  
19 during any calendar year, or an amount set by the  
20 Compensation Review Board, whichever is greater.

21 (b) Members of the Board shall also be reimbursed for  
22 all actual and necessary expenses and disbursements incurred  
23 in the execution of their official duties. A member of the  
24 Board who experiences a significant financial hardship due to  
25 the loss of income on days of attendance at meetings or while  
26 otherwise engaged in the business of the Board may be paid a  
27 hardship allowance, as determined by and subject to the  
28 approval of the Governor's Travel Control Board.

29 (Source: P.A. 91-357, eff. 7-29-99; 91-798, eff. 7-9-00.)

30 (230 ILCS 5/9) (from Ch. 8, par. 37-9)

31 Sec. 9. The Board shall have all powers necessary and  
32 proper to fully and effectively execute the provisions of  
33 this Act, including, but not limited to, the following:

1 (a) The Board is vested with jurisdiction and  
2 supervision over all race meetings in this State, over all  
3 licensees doing business in this State, over all occupation  
4 licensees, and over all persons on the facilities of any  
5 licensee. Such jurisdiction shall include the power to issue  
6 licenses to the Illinois Department of Agriculture  
7 authorizing the pari-mutuel system of wagering on harness and  
8 Quarter Horse races held (1) at the Illinois State Fair in  
9 Sangamon County, and (2) at the DuQuoin State Fair in Perry  
10 County. The jurisdiction of the Board shall also include the  
11 power to issue licenses to county fairs which are eligible to  
12 receive funds pursuant to the Agricultural Fair Act, as now  
13 or hereafter amended, or their agents, authorizing the  
14 pari-mutuel system of wagering on horse races conducted at  
15 the county fairs receiving such licenses. Such licenses  
16 shall be governed by subsection (n) of this Section.

17 Upon application, the Board shall issue a license to the  
18 Illinois Department of Agriculture to conduct harness and  
19 Quarter Horse races at the Illinois State Fair and at the  
20 DuQuoin State Fairgrounds during the scheduled dates of each  
21 fair. The Board shall not require and the Department of  
22 Agriculture shall be exempt from the requirements of Sections  
23 15.3, 18 and 19, paragraphs (a)(2), (b), (c), (d), (e),  
24 (e-5), (e-10), (f), (g), and (h) of Section 20, and Sections  
25 21, 24 and 25. The Board and the Department of Agriculture  
26 may extend any or all of these exemptions to any contractor  
27 or agent engaged by the Department of Agriculture to conduct  
28 its race meetings when the Board determines that this would  
29 best serve the public interest and the interest of horse  
30 racing.

31 Notwithstanding any provision of law to the contrary, it  
32 shall be lawful for any licensee to operate pari-mutuel  
33 wagering or contract with the Department of Agriculture to  
34 operate pari-mutuel wagering at the DuQuoin State Fairgrounds

1 or for the Department to enter into contracts with a  
2 licensee, employ its owners, employees or agents and employ  
3 such other occupation licensees as the Department deems  
4 necessary in connection with race meetings and wagerings.

5 (b) The Board is vested with the full power to  
6 promulgate reasonable rules and regulations for the purpose  
7 of administering the provisions of this Act and to prescribe  
8 reasonable rules, regulations and conditions under which all  
9 horse race meetings or wagering in the State shall be  
10 conducted. Such reasonable rules and regulations are to  
11 provide for the prevention of practices detrimental to the  
12 public interest and to promote the best interests of horse  
13 racing and to impose penalties for violations thereof.

14 (c) The Board, and any person or persons to whom it  
15 delegates this power, is vested with the power to enter the  
16 facilities and other places of business of any licensee to  
17 determine whether there has been compliance with the  
18 provisions of this Act and its rules and regulations.

19 (d) The Board, and any person or persons to whom it  
20 delegates this power, is vested with the authority to  
21 investigate alleged violations of the provisions of this Act,  
22 its reasonable rules and regulations, orders and final  
23 decisions; the Board shall take appropriate disciplinary  
24 action against any licensee or occupation licensee for  
25 violation thereof or institute appropriate legal action for  
26 the enforcement thereof.

27 (e) The Board, and any person or persons to whom it  
28 delegates this power, may eject or exclude from any race  
29 meeting or the facilities of any licensee, or any part  
30 thereof, any occupation licensee or any other individual  
31 whose conduct or reputation is such that his presence on  
32 those facilities may, in the opinion of the Board, call into  
33 question the honesty and integrity of horse racing or  
34 wagering or interfere with the orderly conduct of horse

1 racing or wagering; provided, however, that no person shall  
2 be excluded or ejected from the facilities of any licensee  
3 solely on the grounds of race, color, creed, national origin,  
4 ancestry, or sex. The power to eject or exclude an  
5 occupation licensee or other individual may be exercised for  
6 just cause by the licensee or the Board, subject to  
7 subsequent hearing by the Board as to the propriety of said  
8 exclusion.

9 (f) The Board is vested with the power to acquire,  
10 establish, maintain and operate (or provide by contract to  
11 maintain and operate) testing laboratories and related  
12 facilities, for the purpose of conducting saliva, blood,  
13 urine and other tests on the horses run or to be run in any  
14 horse race meeting and to purchase all equipment and supplies  
15 deemed necessary or desirable in connection with any such  
16 testing laboratories and related facilities and all such  
17 tests.

18 (g) The Board may require that the records, including  
19 financial or other statements of any licensee or any person  
20 affiliated with the licensee who is involved directly or  
21 indirectly in the activities of any licensee as regulated  
22 under this Act to the extent that those financial or other  
23 statements relate to such activities be kept in such manner  
24 as prescribed by the Board, and that Board employees shall  
25 have access to those records during reasonable business  
26 hours. Within 120 days of the end of its fiscal year, each  
27 licensee shall transmit to the Board an audit of the  
28 financial transactions and condition of the licensee's total  
29 operations. All audits shall be conducted by certified  
30 public accountants. Each certified public accountant must be  
31 registered in the State of Illinois under the Illinois Public  
32 Accounting Act. The compensation for each certified public  
33 accountant shall be paid directly by the licensee to the  
34 certified public accountant. A licensee shall also submit

1 any other financial or related information the Board deems  
2 necessary to effectively administer this Act and all rules,  
3 regulations, and final decisions promulgated under this Act.

4 (h) The Board shall name and appoint in the manner  
5 provided by the rules and regulations of the Board: an  
6 ~~Executive--Director~~; a State director of mutuels; State  
7 veterinarians and representatives to take saliva, blood,  
8 urine and other tests on horses; licensing personnel; revenue  
9 inspectors; and State seasonal employees (excluding admission  
10 ticket sellers and mutuel clerks). All of those named and  
11 appointed as provided in this subsection shall serve during  
12 the pleasure of the Board; their compensation shall be  
13 determined by the Board and be paid in the same manner as  
14 other employees of the Board under this Act.

15 (i) The Board shall require that there shall be 3  
16 stewards at each horse race meeting, at least 2 of whom shall  
17 be named and appointed by the Board. Stewards appointed or  
18 approved by the Board, while performing duties required by  
19 this Act or by the Board, shall be entitled to the same  
20 rights and immunities as granted to Board members and Board  
21 employees in Section 10 of this Act.

22 (j) The Board may discharge any Board employee who fails  
23 or refuses for any reason to comply with the rules and  
24 regulations of the Board, or who, in the opinion of the  
25 Board, is guilty of fraud, dishonesty or who is proven to be  
26 incompetent. The Board shall have no right or power to  
27 determine who shall be officers, directors or employees of  
28 any licensee, or their salaries except the Board may, by  
29 rule, require that all or any officials or employees in  
30 charge of or whose duties relate to the actual running of  
31 races be approved by the Board.

32 (k) The Board is vested with the power to appoint  
33 delegates to execute any of the powers granted to it under  
34 this Section for the purpose of administering this Act and

1 any rules or regulations promulgated in accordance with this  
2 Act.

3 (l) The Board is vested with the power to impose civil  
4 penalties of up to \$5,000 against an individual and up to  
5 \$10,000 against a licensee for each violation of any  
6 provision of this Act, any rules adopted by the Board, any  
7 order of the Board or any other action which, in the Board's  
8 discretion, is a detriment or impediment to horse racing or  
9 wagering.

10 (m) The Board is vested with the power to prescribe a  
11 form to be used by licensees as an application for employment  
12 for employees of each licensee.

13 (n) The Board shall have the power to issue a license to  
14 any county fair, or its agent, authorizing the conduct of the  
15 pari-mutuel system of wagering. The Board is vested with the  
16 full power to promulgate reasonable rules, regulations and  
17 conditions under which all horse race meetings licensed  
18 pursuant to this subsection shall be held and conducted,  
19 including rules, regulations and conditions for the conduct  
20 of the pari-mutuel system of wagering. The rules,  
21 regulations and conditions shall provide for the prevention  
22 of practices detrimental to the public interest and for the  
23 best interests of horse racing, and shall prescribe penalties  
24 for violations thereof. Any authority granted the Board  
25 under this Act shall extend to its jurisdiction and  
26 supervision over county fairs, or their agents, licensed  
27 pursuant to this subsection. However, the Board may waive  
28 any provision of this Act or its rules or regulations which  
29 would otherwise apply to such county fairs or their agents.

30 (o) Whenever the Board is authorized or required by law  
31 to consider some aspect of criminal history record  
32 information for the purpose of carrying out its statutory  
33 powers and responsibilities, then, upon request and payment  
34 of fees in conformance with the requirements of Section

1 2605-400 of the Department of State Police Law (20 ILCS  
2 2605/2605-400), the Department of State Police is authorized  
3 to furnish, pursuant to positive identification, such  
4 information contained in State files as is necessary to  
5 fulfill the request.

6 (p) To insure the convenience, comfort, and wagering  
7 accessibility of race track patrons, to provide for the  
8 maximization of State revenue, and to generate increases in  
9 purse allotments to the horsemen, the Board shall require any  
10 licensee to staff the pari-mutuel department with adequate  
11 personnel.

12 (Source: P.A. 91-239, eff. 1-1-00.)

13 (230 ILCS 5/13) (from Ch. 8, par. 37-13)

14 Sec. 13. Executive Director. The Board shall have an  
15 executive director, who shall be appointed by the Governor.

16 The executive director shall perform any and all duties that  
17 the Board shall assign him. The salary of the executive  
18 director shall be determined by the Board and, in addition,  
19 he shall be reimbursed for all actual and necessary expenses  
20 incurred by him in discharge of his official duties.

21 The executive director shall keep records of all  
22 proceedings of the Board and shall preserve all records,  
23 books, documents and other papers belonging to the Board or  
24 entrusted to its care. The executive director shall devote  
25 his full time to the duties of the office and shall not hold  
26 any other office or employment.

27 (Source: P.A. 84-531.)

28 Section 230-10. The Riverboat Gambling Act is amended by  
29 changing Section 5 as follows:

30 (230 ILCS 10/5) (from Ch. 120, par. 2405)

31 Sec. 5. Gaming Board.

1 (a) (1) There is hereby established within the  
2 Department of Revenue an Illinois Gaming Board which shall  
3 have the powers and duties specified in this Act, and all  
4 other powers necessary and proper to fully and effectively  
5 execute this Act for the purpose of administering,  
6 regulating, and enforcing the system of riverboat gambling  
7 established by this Act. Its jurisdiction shall extend under  
8 this Act to every person, association, corporation,  
9 partnership and trust involved in riverboat gambling  
10 operations in the State of Illinois.

11 (2) The Board shall consist of 5 members to be appointed  
12 by the Governor with the advice and consent of the Senate,  
13 one of whom shall be designated by the Governor to be  
14 chairman. Each member shall have a reasonable knowledge of  
15 the practice, procedure and principles of gambling  
16 operations. Each member shall either be a resident of  
17 Illinois or shall certify that he will become a resident of  
18 Illinois before taking office. At least one member shall be  
19 experienced in law enforcement and criminal investigation, at  
20 least one member shall be a certified public accountant  
21 experienced in accounting and auditing, and at least one  
22 member shall be a lawyer licensed to practice law in  
23 Illinois.

24 (3) Notwithstanding any other provision of this Section,  
25 the term of each member of the Board who was appointed by the  
26 Governor and is in office on June 30, 2003 shall terminate at  
27 the close of business on that date or when all of the  
28 successor members to be appointed pursuant to this amendatory  
29 Act of the 93rd General Assembly have been appointed by the  
30 Governor, whichever occurs later. As soon as possible, the  
31 Governor shall appoint persons to fill the vacancies created  
32 by this amendatory Act.

33 The terms of office of the Board members shall be 3  
34 years, except that ~~the terms of office of~~ the initial Board



1 members appointed pursuant to this amendatory Act of the  
2 93rd General Assembly shall will-commence-from-the--effective  
3 date--of--this--Act-and run as follows: one for a term ending  
4 July 1, 2004 ~~1991~~, 2 for terms a-term ending July 1, 2005  
5 ~~1992~~, and 2 for terms a-term ending July 1, 2006 ~~1993~~. Upon  
6 the expiration of the foregoing terms, the successors of such  
7 members shall serve a term for 3 years and until their  
8 successors are appointed and qualified for like terms.  
9 Vacancies in the Board shall be filled for the unexpired term  
10 in like manner as original appointments. Each member of the  
11 Board shall be eligible for reappointment at the discretion  
12 of the Governor with the advice and consent of the Senate.

13 (4) ~~Each member of the Board shall receive \$300 for each~~  
14 ~~day the Board meets and for each day the member conducts any~~  
15 ~~hearing pursuant to this Act.~~ Each member of the Board shall  
16 serve without compensation but shall also be reimbursed for  
17 all actual and necessary expenses and disbursements incurred  
18 in the execution of official duties. A member of the Board  
19 who experiences a significant financial hardship due to the  
20 loss of income on days of attendance at meetings or while  
21 otherwise engaged in the business of the Board may be paid a  
22 hardship allowance, as determined by and subject to the  
23 approval of the Governor's Travel Control Board.

24 (5) No person shall be appointed a member of the Board  
25 or continue to be a member of the Board who is, or whose  
26 spouse, child or parent is, a member of the board of  
27 directors of, or a person financially interested in, any  
28 gambling operation subject to the jurisdiction of this Board,  
29 or any race track, race meeting, racing association or the  
30 operations thereof subject to the jurisdiction of the  
31 Illinois Racing Board. No Board member shall hold any other  
32 public office for which he shall receive compensation other  
33 than necessary travel or other incidental expenses. No  
34 person shall be a member of the Board who is not of good

1 moral character or who has been convicted of, or is under  
2 indictment for, a felony under the laws of Illinois or any  
3 other state, or the United States.

4 (6) Any member of the Board may be removed by the  
5 Governor for neglect of duty, misfeasance, malfeasance, or  
6 nonfeasance in office.

7 (7) Before entering upon the discharge of the duties of  
8 his office, each member of the Board shall take an oath that  
9 he will faithfully execute the duties of his office according  
10 to the laws of the State and the rules and regulations  
11 adopted therewith and shall give bond to the State of  
12 Illinois, approved by the Governor, in the sum of \$25,000.  
13 Every such bond, when duly executed and approved, shall be  
14 recorded in the office of the Secretary of State. Whenever  
15 the Governor determines that the bond of any member of the  
16 Board has become or is likely to become invalid or  
17 insufficient, he shall require such member forthwith to renew  
18 his bond, which is to be approved by the Governor. Any  
19 member of the Board who fails to take oath and give bond  
20 within 30 days from the date of his appointment, or who fails  
21 to renew his bond within 30 days after it is demanded by the  
22 Governor, shall be guilty of neglect of duty and may be  
23 removed by the Governor. The cost of any bond given by any  
24 member of the Board under this Section shall be taken to be a  
25 part of the necessary expenses of the Board.

26 (8) Upon the request of the Board, the Department shall  
27 employ such personnel as may be necessary to carry out the  
28 functions of the Board. No person shall be employed to serve  
29 the Board who is, or whose spouse, parent or child is, an  
30 official of, or has a financial interest in or financial  
31 relation with, any operator engaged in gambling operations  
32 within this State or any organization engaged in conducting  
33 horse racing within this State. Any employee violating these  
34 prohibitions shall be subject to termination of employment.

1           (9) The Board shall have an Administrator, who shall be  
2 appointed by the Governor. The An Administrator shall  
3 perform any and all duties that the Board shall assign him.  
4 The salary of the Administrator shall be determined by the  
5 Board and approved by the Director of the Department and, in  
6 addition, he shall be reimbursed for all actual and necessary  
7 expenses incurred by him in discharge of his official duties.  
8 The Administrator shall keep records of all proceedings of  
9 the Board and shall preserve all records, books, documents  
10 and other papers belonging to the Board or entrusted to its  
11 care. The Administrator shall devote his full time to the  
12 duties of the office and shall not hold any other office or  
13 employment.

14           (b) The Board shall have general responsibility for the  
15 implementation of this Act. Its duties include, without  
16 limitation, the following:

17                 (1) To decide promptly and in reasonable order all  
18 license applications. Any party aggrieved by an action of  
19 the Board denying, suspending, revoking, restricting or  
20 refusing to renew a license may request a hearing before  
21 the Board. A request for a hearing must be made to the  
22 Board in writing within 5 days after service of notice of  
23 the action of the Board. Notice of the action of the  
24 Board shall be served either by personal delivery or by  
25 certified mail, postage prepaid, to the aggrieved party.  
26 Notice served by certified mail shall be deemed complete  
27 on the business day following the date of such mailing.  
28 The Board shall conduct all requested hearings promptly  
29 and in reasonable order;

30                 (2) To conduct all hearings pertaining to civil  
31 violations of this Act or rules and regulations  
32 promulgated hereunder;

33                 (3) To promulgate such rules and regulations as in  
34 its judgment may be necessary to protect or enhance the

1 credibility and integrity of gambling operations  
2 authorized by this Act and the regulatory process  
3 hereunder;

4 (4) To provide for the establishment and collection  
5 of all license and registration fees and taxes imposed by  
6 this Act and the rules and regulations issued pursuant  
7 hereto. All such fees and taxes shall be deposited into  
8 the State Gaming Fund;

9 (5) To provide for the levy and collection of  
10 penalties and fines for the violation of provisions of  
11 this Act and the rules and regulations promulgated  
12 hereunder. All such fines and penalties shall be  
13 deposited into the Education Assistance Fund, created by  
14 Public Act 86-0018, of the State of Illinois;

15 (6) To be present through its inspectors and agents  
16 any time gambling operations are conducted on any  
17 riverboat for the purpose of certifying the revenue  
18 thereof, receiving complaints from the public, and  
19 conducting such other investigations into the conduct of  
20 the gambling games and the maintenance of the equipment  
21 as from time to time the Board may deem necessary and  
22 proper;

23 (7) To review and rule upon any complaint by a  
24 licensee regarding any investigative procedures of the  
25 State which are unnecessarily disruptive of gambling  
26 operations. The need to inspect and investigate shall be  
27 presumed at all times. The disruption of a licensee's  
28 operations shall be proved by clear and convincing  
29 evidence, and establish that: (A) the procedures had no  
30 reasonable law enforcement purposes, and (B) the  
31 procedures were so disruptive as to unreasonably inhibit  
32 gambling operations;

33 (8) To hold at least one meeting each quarter of  
34 the fiscal year. In addition, special meetings may be

1 called by the Chairman or any 2 Board members upon 72  
2 hours written notice to each member. All Board meetings  
3 shall be subject to the Open Meetings Act. Three members  
4 of the Board shall constitute a quorum, and 3 votes shall  
5 be required for any final determination by the Board.  
6 The Board shall keep a complete and accurate record of  
7 all its meetings. A majority of the members of the Board  
8 shall constitute a quorum for the transaction of any  
9 business, for the performance of any duty, or for the  
10 exercise of any power which this Act requires the Board  
11 members to transact, perform or exercise en banc, except  
12 that, upon order of the Board, one of the Board members  
13 or an administrative law judge designated by the Board  
14 may conduct any hearing provided for under this Act or by  
15 Board rule and may recommend findings and decisions to  
16 the Board. The Board member or administrative law judge  
17 conducting such hearing shall have all powers and rights  
18 granted to the Board in this Act. The record made at the  
19 time of the hearing shall be reviewed by the Board, or a  
20 majority thereof, and the findings and decision of the  
21 majority of the Board shall constitute the order of the  
22 Board in such case;

23 (9) To maintain records which are separate and  
24 distinct from the records of any other State board or  
25 commission. Such records shall be available for public  
26 inspection and shall accurately reflect all Board  
27 proceedings;

28 (10) To file a written annual report with the  
29 Governor on or before March 1 each year and such  
30 additional reports as the Governor may request. The  
31 annual report shall include a statement of receipts and  
32 disbursements by the Board, actions taken by the Board,  
33 and any additional information and recommendations which  
34 the Board may deem valuable or which the Governor may

1 request;

2 (11) (Blank); and

3 (12) To assume responsibility for the  
4 administration and enforcement of the Bingo License and  
5 Tax Act, the Charitable Games Act, and the Pull Tabs and  
6 Jar Games Act if such responsibility is delegated to it  
7 by the Director of Revenue.

8 (c) The Board shall have jurisdiction over and shall  
9 supervise all gambling operations governed by this Act. The  
10 Board shall have all powers necessary and proper to fully and  
11 effectively execute the provisions of this Act, including,  
12 but not limited to, the following:

13 (1) To investigate applicants and determine the  
14 eligibility of applicants for licenses and to select  
15 among competing applicants the applicants which best  
16 serve the interests of the citizens of Illinois.

17 (2) To have jurisdiction and supervision over all  
18 riverboat gambling operations in this State and all  
19 persons on riverboats where gambling operations are  
20 conducted.

21 (3) To promulgate rules and regulations for the  
22 purpose of administering the provisions of this Act and  
23 to prescribe rules, regulations and conditions under  
24 which all riverboat gambling in the State shall be  
25 conducted. Such rules and regulations are to provide for  
26 the prevention of practices detrimental to the public  
27 interest and for the best interests of riverboat  
28 gambling, including rules and regulations regarding the  
29 inspection of such riverboats and the review of any  
30 permits or licenses necessary to operate a riverboat  
31 under any laws or regulations applicable to riverboats,  
32 and to impose penalties for violations thereof.

33 (4) To enter the office, riverboats, facilities, or  
34 other places of business of a licensee, where evidence of

1 the compliance or noncompliance with the provisions of  
2 this Act is likely to be found.

3 (5) To investigate alleged violations of this Act  
4 or the rules of the Board and to take appropriate  
5 disciplinary action against a licensee or a holder of an  
6 occupational license for a violation, or institute  
7 appropriate legal action for enforcement, or both.

8 (6) To adopt standards for the licensing of all  
9 persons under this Act, as well as for electronic or  
10 mechanical gambling games, and to establish fees for such  
11 licenses.

12 (7) To adopt appropriate standards for all  
13 riverboats and facilities.

14 (8) To require that the records, including  
15 financial or other statements of any licensee under this  
16 Act, shall be kept in such manner as prescribed by the  
17 Board and that any such licensee involved in the  
18 ownership or management of gambling operations submit to  
19 the Board an annual balance sheet and profit and loss  
20 statement, list of the stockholders or other persons  
21 having a 1% or greater beneficial interest in the  
22 gambling activities of each licensee, and any other  
23 information the Board deems necessary in order to  
24 effectively administer this Act and all rules,  
25 regulations, orders and final decisions promulgated under  
26 this Act.

27 (9) To conduct hearings, issue subpoenas for the  
28 attendance of witnesses and subpoenas duces tecum for the  
29 production of books, records and other pertinent  
30 documents in accordance with the Illinois Administrative  
31 Procedure Act, and to administer oaths and affirmations  
32 to the witnesses, when, in the judgment of the Board, it  
33 is necessary to administer or enforce this Act or the  
34 Board rules.

1           (10) To prescribe a form to be used by any licensee  
2 involved in the ownership or management of gambling  
3 operations as an application for employment for their  
4 employees.

5           (11) To revoke or suspend licenses, as the Board  
6 may see fit and in compliance with applicable laws of the  
7 State regarding administrative procedures, and to review  
8 applications for the renewal of licenses. The Board may  
9 suspend an owners license, without notice or hearing upon  
10 a determination that the safety or health of patrons or  
11 employees is jeopardized by continuing a riverboat's  
12 operation. The suspension may remain in effect until the  
13 Board determines that the cause for suspension has been  
14 abated. The Board may revoke the owners license upon a  
15 determination that the owner has not made satisfactory  
16 progress toward abating the hazard.

17           (12) To eject or exclude or authorize the ejection  
18 or exclusion of, any person from riverboat gambling  
19 facilities where such person is in violation of this Act,  
20 rules and regulations thereunder, or final orders of the  
21 Board, or where such person's conduct or reputation is  
22 such that his presence within the riverboat gambling  
23 facilities may, in the opinion of the Board, call into  
24 question the honesty and integrity of the gambling  
25 operations or interfere with orderly conduct thereof;  
26 provided that the propriety of such ejection or exclusion  
27 is subject to subsequent hearing by the Board.

28           (13) To require all licensees of gambling  
29 operations to utilize a cashless wagering system whereby  
30 all players' money is converted to tokens, electronic  
31 cards, or chips which shall be used only for wagering in  
32 the gambling establishment.

33           (14) (Blank).

34           (15) To suspend, revoke or restrict licenses, to



1 require the removal of a licensee or an employee of a  
2 licensee for a violation of this Act or a Board rule or  
3 for engaging in a fraudulent practice, and to impose  
4 civil penalties of up to \$5,000 against individuals and  
5 up to \$10,000 or an amount equal to the daily gross  
6 receipts, whichever is larger, against licensees for each  
7 violation of any provision of the Act, any rules adopted  
8 by the Board, any order of the Board or any other action  
9 which, in the Board's discretion, is a detriment or  
10 impediment to riverboat gambling operations.

11 (16) To hire employees to gather information,  
12 conduct investigations and carry out any other tasks  
13 contemplated under this Act.

14 (17) To establish minimum levels of insurance to be  
15 maintained by licensees.

16 (18) To authorize a licensee to sell or serve  
17 alcoholic liquors, wine or beer as defined in the Liquor  
18 Control Act of 1934 on board a riverboat and to have  
19 exclusive authority to establish the hours for sale and  
20 consumption of alcoholic liquor on board a riverboat,  
21 notwithstanding any provision of the Liquor Control Act  
22 of 1934 or any local ordinance, and regardless of whether  
23 the riverboat makes excursions. The establishment of the  
24 hours for sale and consumption of alcoholic liquor on  
25 board a riverboat is an exclusive power and function of  
26 the State. A home rule unit may not establish the hours  
27 for sale and consumption of alcoholic liquor on board a  
28 riverboat. This amendatory Act of 1991 is a denial and  
29 limitation of home rule powers and functions under  
30 subsection (h) of Section 6 of Article VII of the  
31 Illinois Constitution.

32 (19) After consultation with the U.S. Army Corps of  
33 Engineers, to establish binding emergency orders upon the  
34 concurrence of a majority of the members of the Board

1 regarding the navigability of water, relative to  
2 excursions, in the event of extreme weather conditions,  
3 acts of God or other extreme circumstances.

4 (20) To delegate the execution of any of its powers  
5 under this Act for the purpose of administering and  
6 enforcing this Act and its rules and regulations  
7 hereunder.

8 (21) To take any other action as may be reasonable  
9 or appropriate to enforce this Act and rules and  
10 regulations hereunder.

11 (d) The Board may seek and shall receive the cooperation  
12 of the Department of State Police in conducting background  
13 investigations of applicants and in fulfilling its  
14 responsibilities under this Section. Costs incurred by the  
15 Department of State Police as a result of such cooperation  
16 shall be paid by the Board in conformance with the  
17 requirements of Section 2605-400 of the Department of State  
18 Police Law (20 ILCS 2605/2605-400).

19 (e) The Board must authorize to each investigator and to  
20 any other employee of the Board exercising the powers of a  
21 peace officer a distinct badge that, on its face, (i) clearly  
22 states that the badge is authorized by the Board and (ii)  
23 contains a unique identifying number. No other badge shall  
24 be authorized by the Board.

25 (Source: P.A. 91-40, eff. 1-1-00; 91-239, eff. 1-1-00;  
26 91-883, eff. 1-1-01.)

27 Section 235-5. The Liquor Control Act of 1934 is amended  
28 by changing Sections 3-1, 3-2, 3-3, 3-9, and 3-10 as follows:

29 (235 ILCS 5/3-1) (from Ch. 43, par. 97)

30 Sec. 3-1. Illinois Liquor Control Commission. There is  
31 hereby created an Illinois Liquor Control Commission.

32 Until July 1, 2003 or when all of the new members to be

1 initially appointed under this amendatory Act of the 93rd  
2 General Assembly have been appointed by the Governor,  
3 whichever occurs later, the Commission shall consist  
4 consisting of 7 members to be appointed by the Governor with  
5 the advice and consent of the Senate, no more than 4 of whom  
6 shall be members of the same political party.

7 The term of each appointed member of the Commission who  
8 is in office on June 30, 2003 shall terminate at the close of  
9 business on that date or when all of the new members to be  
10 initially appointed under this amendatory Act of the 93rd  
11 General Assembly have been appointed by the Governor,  
12 whichever occurs later.

13 Beginning on July 1, 2003 or when all of the new members  
14 to be initially appointed under this amendatory Act of the  
15 93rd General Assembly have been appointed by the Governor,  
16 whichever occurs later, the Commission shall consist of 5  
17 members to be appointed by the Governor with the advice and  
18 consent of the Senate, no more than 3 of whom shall be  
19 members of the same political party. The Governor shall  
20 designate one of the members to serve as Chairman.

21 (Source: P.A. 91-798, eff. 7-9-00.)

22 (235 ILCS 5/3-2) (from Ch. 43, par. 98)

23 Sec. 3-2. Vacancies; terms.

24 ~~Immediately, or as soon as may be after the effective date~~  
25 ~~of this Act, the Governor shall appoint 3 members of the~~  
26 ~~commission, one of whom shall be designated as "Chairman",~~  
27 ~~one to hold office for a period of 2 years, one to hold~~  
28 ~~office for a period of 4 years and one to hold office for a~~  
29 ~~period of 6 years. Immediately, or as soon as may be after~~  
30 ~~the effective date of this amendatory Act of 1983, the~~  
31 ~~Governor shall appoint 2 members to the commission to the~~  
32 ~~offices created by this amendatory Act of 1983, one for an~~  
33 ~~initial term expiring the third Monday in January of 1986 and~~

1 one--for-an-initial-term-expiring-the-third-Monday-in-January  
2 of-1988.--At--the--expiration--of--the---term--of--any--such  
3 commissioner--the--Governor-shall-reappoint-said-commissioner  
4 or-appoint-a-successor-of-said-commissioner-for-a-period-of-6  
5 years-

6 (a) The Governor shall have power to fill vacancies in  
7 the office of any commissioner.

8 Notwithstanding--any--provision--of--this--Section--to--the  
9 contrary,--the--term--of--office--of--each--member--of--the--commission  
10 is-abolished-on-the-effective-date-of-this-amendatory-Act--of  
11 1985,--but--the--incumbent-members-shall-continue-to-exercise  
12 all-of-the-powers-and-be-subject-to--all--of--the--duties--of  
13 members--of--the--commission-until-their-respective-successors  
14 are-appointed-and-qualified-

15 (b) Of the commissioners initially appointed pursuant to  
16 this amendatory Act of the 93rd General Assembly, the  
17 Governor shall appoint 2 members of the commission whose  
18 terms of office shall expire on February 1, 2009 1986, 2  
19 members of the commission whose terms of office shall expire  
20 on February 1, 2007 1988, and one member of the commission  
21 whose term shall expire on February 1, 2005 1990. Their  
22 respective successors shall be appointed for terms of 6 years  
23 from the first day of February of the year of appointment.  
24 Each member shall serve until his successor is appointed and  
25 qualified.

26 The--initial--term--of--both--of--the-2-additional-members  
27 appointed-pursuant-to-this-amendatory-Act-of-the-91st-General  
28 Assembly-shall-expire-on-February-1,--2006.--Their--respective  
29 successors--shall--be-appointed-for-terms-of-6-years-from-the  
30 first-day-of-February--of--the--year--of--appointment.--Each  
31 member--shall--serve--until-his-or-her-successor-is-appointed  
32 and-qualified-

33 (Source: P.A. 91-798, eff. 7-9-00.)

1 (235 ILCS 5/3-3) (from Ch. 43, par. 99)

2 Sec. 3-3. Quorum; Secretary; Executive Director.

3 (a) If there is no vacancy on the Commission, 4 members  
4 of the Commission shall constitute a quorum to transact  
5 business; otherwise, a majority of the Commission shall  
6 constitute a quorum to transact business, and no vacancy  
7 shall impair the right of the remaining members to exercise  
8 all of the powers of the Commission. Every action approved  
9 by a majority of the members of the Commission shall be  
10 deemed to be the action of the Commission. A-majority-of-the  
11 commission--shall--constitute--a-quorum-to-transact-business,  
12 but-no-vacancy--shall--impair--the--right--of--the--remaining  
13 commissioners---to---exercise---all--of--the--powers--of--the  
14 commission;-and-every-act-of-a-majority-of-the-members-of-the  
15 commission-shall-be-deemed-to-be-the-act-of-the-commission.

16 (b) The Commission shall have a Secretary, appointed by  
17 the Governor, who shall keep a record of all proceedings,  
18 transactions, communications and official acts of the  
19 Commission and who shall be custodian of all records and  
20 perform such other duties as the Commission may prescribe.

21 (c) The Commission shall have an Executive Director, who  
22 shall be appointed by the Governor. The salary and duties of  
23 the Executive Director shall be fixed by the Commission.

24 (Source: P.A. 82-783.)

25 (235 ILCS 5/3-9) (from Ch. 43, par. 105)

26 Sec. 3-9. Compensation of commissioners, Secretary, and  
27 employees.

28 (a) Members of the Commission shall receive an annual  
29 salary of \$28,924 for their service. Beginning July 1, 2004,  
30 these salaries may be adjusted by the Compensation Review  
31 Board. The--chairman--of--the--Commission--shall--receive--an  
32 annual-salary-of-\$32,000-or-such-greater-amount-as-may-be-set  
33 by-the-Compensation-Review-Board.---The--other--commissioners

1 shall--receive--an--annual--salary--of--\$28,000--or--such--greater  
2 amount--as--may--be--set--by--the--Compensation--Review--Board--

3 (b) The Secretary of the Commission shall receive an  
4 annual salary as set by the Compensation Review Board. All  
5 clerks, inspectors, and employees of the Commission shall  
6 receive reasonable compensation in an amount fixed by the  
7 Commission, subject to the approval in writing of the  
8 Governor.

9 (Source: P.A. 91-798, eff. 7-9-00.)

10 (235 ILCS 5/3-10) (from Ch. 43, par. 106)

11 Sec. 3-10. Expenses. The Commissioners, the Secretary,  
12 and all clerks, inspectors and other employees shall be  
13 reimbursed for all actual and necessary traveling and other  
14 expenses and disbursements incurred or made by them in the  
15 discharge of their official duties. The Commission may also  
16 incur necessary expenses for office furniture and other  
17 incidental expenses.

18 A commissioner who experiences a significant financial  
19 hardship due to the loss of income on days of attendance at  
20 meetings or while otherwise engaged in the business of the  
21 Commission may be paid a hardship allowance, as determined by  
22 and subject to the approval of the Governor's Travel Control  
23 Board.

24 (Source: P.A. 82-783.)

25 Section 410-515. The Head and Spinal Cord Injury Act is  
26 amended by changing Sections 0.01, 1, 2, 3, and 6 as follows:

27 (410 ILCS 515/0.01) (from Ch. 111 1/2, par. 7850)

28 Sec. 0.01. Short title. This Act may be cited as the  
29 Brain Head and Spinal Cord Injury Act.

30 (Source: P.A. 86-1324.)

1 (410 ILCS 515/1) (from Ch. 111 1/2, par. 7851)

2 Sec. 1. As used in this Act, unless the context clearly  
3 indicates otherwise:

4 (a) "Department" means the Department of Public Health.

5 (b) "Brain Head injury" means a sudden insult or damage  
6 to the brain or its coverings, not of a degenerative nature,  
7 which produces an altered state of consciousness or  
8 temporarily or permanently impairs mental, cognitive,  
9 behavioral or physical functioning. This includes cerebral  
10 vascular accidents and, aneurisms, and Congenital deficits  
11 are excluded from this definition.

12 (c) "Spinal cord injury" means an injury that occurs as  
13 a result of trauma, which involves spinal vertebral fracture,  
14 or where the injured person suffers any of the following  
15 effects:

16 (1) effects on the sensory system including  
17 numbness, tingling or loss of sensation in the body or in  
18 one or more extremities;

19 (2) effects on the motor system including weakness  
20 or paralysis in one or more extremities;

21 (3) effects on the visceral system including bowel  
22 or bladder dysfunction or hypotension.

23 (d) "Council" means the Brain and ~~Advisory--Council--on~~  
24 Spinal Cord Injury Advisory Council ~~and-Head-Injuries.~~

25 (Source: P.A. 86-510.)

26 (410 ILCS 515/2) (from Ch. 111 1/2, par. 7852)

27 Sec. 2. Information; reports.

28 (a) The Department shall establish and maintain an  
29 information registry and reporting system for the purpose of  
30 data collection and needs assessment of persons with brain  
31 head and spinal cord injuries ~~injured-persons~~ in this State.

32 (b) Reports of brain head and spinal cord injuries shall  
33 be filed with the Department by a hospital administrator or

1 his designee on a quarterly basis.

2 (c) Reporting forms and the manner in which the  
3 information is to be reported shall be provided by the  
4 Department. Such reports shall include, but shall not be  
5 limited to, the following information: name, age, and  
6 residence of the injured person, the date and cause of the  
7 injury, the initial diagnosis and such other information as  
8 may be required by the Department.

9 (Source: P.A. 86-510; 87-691.)

10 (410 ILCS 515/3) (from Ch. 111 1/2, par. 7853)

11 Sec. 3. (a) All reports and records made pursuant to  
12 this Act and maintained by the Department and other  
13 appropriate persons, officials and institutions pursuant to  
14 this Act shall be confidential. Information shall not be  
15 made available to any individual or institution except to:

16 (1) appropriate staff of the Department;

17 (2) any person engaged in a bona fide research project,  
18 with the permission of the Director of Public Health, except  
19 that no information identifying the subjects of the reports  
20 or the reporters shall be made available to researchers  
21 unless the Department requests and receives consent for such  
22 release pursuant to the provisions of this Section; and

23 (3) the Council, except that no information identifying  
24 the subjects of the reports or the reporters shall be made  
25 available to the Council unless consent for release is  
26 requested and received pursuant to the provisions of this  
27 Section. Only information pertaining to brain head and  
28 spinal cord injuries as defined in Section 1 of this Act  
29 shall be released to the Council.

30 (b) The Department shall not reveal the identity of a  
31 patient, physician or hospital, except that the identity of  
32 the patient may be released upon written consent of the  
33 patient, parent or guardian, the identity of the physician



1 may be released upon written consent of the physician, and  
2 the identity of the hospital may be released upon written  
3 consent of the hospital.

4 (c) The Department shall request consent for release  
5 from a patient, a physician or hospital only upon a showing  
6 by the applicant for such release that obtaining the  
7 identities of certain patients, physicians or hospitals is  
8 necessary for his bonafide research directly related to the  
9 objectives of this Act.

10 (d) The Department shall at least annually compile a  
11 report of the data accumulated through the reporting system  
12 established under Section 2 of this Act and shall submit such  
13 data relating to spinal cord injuries and brain head injuries  
14 in accordance with confidentiality restrictions established  
15 pursuant to this Act to the Council.

16 (Source: P.A. 86-510.)

17 (410 ILCS 515/6) (from Ch. 111 1/2, par. 7856)

18 Sec. 6. Advisory Council.

19 (a) There is hereby created the Brain and Advisory  
20 Council--on Spinal Cord Injury Advisory Council and-Head  
21 Injuries within the Department of Human Services.

22 Until July 1, 2003 or when all of the new members to be  
23 initially appointed under this amendatory Act of the 93rd  
24 General Assembly have been appointed by the Governor,  
25 whichever occurs later, the Council shall consist of 29  
26 members, appointed by the Governor with the advice and  
27 consent of the Senate. ~~Members shall serve 3-year terms and~~  
28 ~~until their successors are appointed by the Governor with the~~  
29 ~~advice and consent of the Senate.--The members--appointed--by~~  
30 ~~the--Governor--shall--include--2--neurosurgeons, 2-orthopedic~~  
31 ~~surgeons, 2-rehabilitation specialists, one-of-whom shall--be~~  
32 ~~a--registered--nurse, 4-persons-with-head-injuries-or-family~~  
33 ~~members-of-persons-with-head-injuries, 4-persons-with--spinal~~

1 cord--injuries--or-family-members-of-persons-with-spinal-cord  
2 injuries,--a--representative--of--an--Illinois---college---or  
3 university,--and-a-representative-from-health-institutions-or  
4 private-industry.--These-members-shall-not-serve-more-than--2  
5 consecutive--3-year--terms,---The--Governor-shall-appoint-one  
6 individual-from-each-of-the-following-entities-to-the-Council  
7 as-ex-officio-members:--the-unit-of-the--Department--of--Human  
8 Services--that--is--responsible-for-the-administration-of-the  
9 vocational-rehabilitation-program,--another--unit--within--the  
10 Department--of--Human--Services--that--provides--services-for  
11 individuals-with-disabilities,--the-State-Board-of--Education,  
12 the-Department-of-Public-Health,--the-Department-of-Insurance,  
13 the--Department--of--Public--Aid,--the-Division-of-Specialized  
14 Care--for--Children--of--the--University--of--Illinois,---the  
15 Statewide---Independent---Living---Council,---and--the--State  
16 Rehabilitation-Advisory-Council.--Ex-officio-members-are--not  
17 subject---to--limit--of--2--consecutive--3-year--terms. The  
18 appointment of individuals representing State agencies shall  
19 be conditioned on their continued employment with their  
20 respective agencies.

21 The term of each appointed member of the Council who is  
22 in office on June 30, 2003 shall terminate at the close of  
23 business on that date or when all of the new members to be  
24 initially appointed under this amendatory Act of the 93rd  
25 General Assembly have been appointed by the Governor,  
26 whichever occurs later.

27 (a-5) Beginning on July 1, 2003 or when all of the new  
28 members to be initially appointed under this amendatory Act  
29 of the 93rd General Assembly have been appointed by the  
30 Governor, whichever occurs later, the Council shall consist  
31 of 10 individual members and 5 agency members appointed by  
32 the Governor with the advice and consent of the Senate.

33 The individual members appointed by the Governor shall  
34 consist of 2 physicians, one of whom specializes in the care

1 and rehabilitation of persons with brain injury and one of  
2 whom specializes in the care and rehabilitation of persons  
3 with spinal cord injury; 2 rehabilitation therapists, one of  
4 whom specializes in the care and rehabilitation of persons  
5 with brain injury and one of whom specializes in the care and  
6 rehabilitation of persons with spinal cord injury; one  
7 certified rehabilitation registered nurse (CRRN); 2 persons  
8 with brain injury or family members of persons with brain  
9 injury; 2 persons with spinal cord injury or family members  
10 of persons with spinal cord injury; and one person affiliated  
11 with a health care institution. Individual members shall not  
12 serve more than 2 consecutive 3-year terms.

13 The agency members appointed by the Governor shall  
14 consist of one representative of each of the following  
15 agencies: the Brain Injury Association of Illinois; the  
16 Spinal Cord Injury Association of Illinois; the unit within  
17 the Department of Human Services that provides services for  
18 individuals with disabilities; the State Board of Education;  
19 and the Division of Specialized Care for Children of the  
20 University of Illinois. The appointments of agency members  
21 shall be conditioned on their continued employment with their  
22 respective agencies. Agency members are not subject to any  
23 limit on consecutive terms.

24 Of the members initially appointed pursuant to this  
25 amendatory Act of the 93rd General Assembly, 5 shall be  
26 appointed for terms of one year, 5 shall be appointed for  
27 terms of 2 years, and 5 shall be appointed for terms of 3  
28 years, and until their successors have been appointed and  
29 qualified. Thereafter, members shall be appointed for 3-year  
30 terms and until their successors have been appointed and  
31 qualified.

32 (b) From funds appropriated for such purpose, the  
33 Department of Human Services shall provide to the Council the  
34 necessary staff and expenses to carry out the duties and

1 responsibilities assigned by the Council. The Council shall  
2 have a director, who shall be appointed by the Governor. The  
3 salary of the director shall be fixed and paid by the  
4 Department of Human Services. The duties of the director  
5 shall be fixed by the Council. ~~Such staff shall consist of--a~~  
6 ~~director and other support staff.~~

7 (c) Meetings shall be held at least every 90 days or at  
8 the call of the Council chairman, who shall be appointed by  
9 the Governor from among the members of ~~elected--by~~ the  
10 Council.

11 (d) Each member shall be reimbursed for reasonable and  
12 necessary expenses actually incurred in the performance of  
13 his official duties. A member who experiences a significant  
14 financial hardship due to the loss of income on days of  
15 attendance at meetings or while otherwise engaged in the  
16 business of the Council may be paid a hardship allowance, as  
17 determined by and subject to the approval of the Governor's  
18 Travel Control Board.

19 (e) The Council shall adopt written procedures to govern  
20 its activities. Consultants shall be provided for the  
21 Council from appropriations made for such purpose.

22 (f) The Council shall make recommendations to the  
23 Governor for developing and administering a State plan to  
24 provide services for persons with brain injury and persons  
25 with spinal cord injury and head-injured persons.

26 (g) No member of the Council may participate in or seek  
27 to influence a decision or vote of the Council if the member  
28 would be directly involved with the matter or if he would  
29 derive income from it. A violation of this prohibition shall  
30 be grounds for a person to be removed as a member of the  
31 Council by the Governor.

32 (h) The Council shall:

33 (1) promote meetings and programs for the  
34 discussion of reducing the debilitating effects of brain

1 injuries and spinal cord and---head injuries and  
2 disseminate information in cooperation with any other  
3 department, agency or entity on the prevention,  
4 evaluation, care, treatment and rehabilitation of persons  
5 affected by brain injuries and spinal cord and-head  
6 injuries;

7 (2) study and review current prevention,  
8 evaluation, care, treatment and rehabilitation  
9 technologies and recommend appropriate preparation,  
10 training, retraining and distribution of manpower and  
11 resources in the provision of services to persons with  
12 brain injury and spinal cord injury and-head-injured  
13 persons through private and public residential  
14 facilities, day programs and other specialized services;

15 (3) recommend specific methods, means and  
16 procedures which should be adopted to improve and upgrade  
17 the State's service delivery system for persons with  
18 brain injury and persons with spinal cord injury in and  
19 head-injured-citizens-of this State;

20 (4) participate in developing and disseminating  
21 criteria and standards which may be required for future  
22 funding or licensing of facilities, day programs and  
23 other specialized services for persons with brain injury  
24 and persons with spinal cord injury and-head-injured  
25 persons in this State;

26 (5) report annually to the Governor and the General  
27 Assembly on its activities, and on the results of its  
28 studies and the recommendations of the Council; and

29 (6) be the advisory board for purposes of federal  
30 programs regarding traumatic brain injury.

31 (i) The Department of Human Services may accept on  
32 behalf of the Council federal funds, gifts and donations from  
33 individuals, private organizations and foundations, and any  
34 other funds that may become available.

1 (Source: P.A. 89-507, eff. 7-1-97; 90-453, eff. 8-16-97.)

2 Section 415-5. The Environmental Protection Act is  
3 amended by changing Section 5 as follows:

4 (415 ILCS 5/5) (from Ch. 111 1/2, par. 1005)

5 Sec. 5. Pollution Control Board.

6 (a) There is hereby created an independent board to be  
7 known as the Pollution Control Board, ~~consisting~~

8 Until July 1, 2003 or when all of the new members to be  
9 initially appointed under this amendatory Act of the 93rd  
10 General Assembly have been appointed by the Governor,  
11 whichever occurs later, the Board shall consist of 7  
12 technically qualified members, no more than 4 of whom may be  
13 of the same political party, to be appointed by the Governor  
14 with the advice and consent of the Senate.

15 The term of each appointed member of the Board who is in  
16 office on June 30, 2003 shall terminate at the close of  
17 business on that date or when all of the new members to be  
18 initially appointed under this amendatory Act of the 93rd  
19 General Assembly have been appointed by the Governor,  
20 whichever occurs later.

21 Beginning on July 1, 2003 or when all of the new members  
22 to be initially appointed under this amendatory Act of the  
23 93rd General Assembly have been appointed by the Governor,  
24 whichever occurs later, the Board shall consist of 5  
25 technically qualified members, no more than 3 of whom may be  
26 of the same political party, to be appointed by the Governor  
27 with the advice and consent of the Senate. Members shall  
28 have verifiable technical, academic, or actual experience in  
29 the field of pollution control or environmental law and  
30 regulation.

31 Of the members initially appointed pursuant to this  
32 amendatory Act of the 93rd General Assembly, one shall be

1 appointed for a term ending July 1, 2004, 2 shall be  
2 appointed for terms ending July 1, 2005, and 2 shall be  
3 appointed for terms ending July 1, 2006. Thereafter, all  
4 members shall hold office for 3 years from the first day of  
5 July in the year in which they were appointed, except in case  
6 of an appointment to fill a vacancy. In case of a vacancy in  
7 the office when the Senate is not in session, the Governor  
8 may make a temporary appointment until the next meeting of  
9 the Senate, when he or she shall nominate some person to fill  
10 such office; and any person so nominated, who is confirmed by  
11 the Senate, shall hold the office during the remainder of the  
12 term.

13 Members of the Board shall hold office until their  
14 respective successors have been appointed and qualified. Any  
15 member may resign from office, such resignation to take  
16 effect when a successor has been appointed and has qualified.

17 Board members shall be paid \$37,000 per year or an amount  
18 set by the Compensation Review Board, whichever is greater,  
19 and the Chairman shall be paid \$43,000 per year or an amount  
20 set by the Compensation Review Board, whichever is greater.  
21 Each member shall devote his or her entire time to the duties  
22 of the office, and shall hold no other office or position of  
23 profit, nor engage in any other business, employment, or  
24 vocation. Each member shall be reimbursed for expenses  
25 necessarily incurred,~~---shall---devote--full--time--to--the~~  
26 ~~performanee-of-his-or-her-duties~~ and shall make a financial  
27 disclosure upon appointment.

28 Each Board member may employ one secretary and one  
29 assistant, and the Chairman one secretary and 2 assistants.  
30 The Board also may employ and compensate hearing officers to  
31 preside at hearings under this Act, and such other personnel  
32 as may be necessary. Hearing officers shall be attorneys  
33 licensed to practice law in Illinois.

34 The Board may have an Executive Director, who shall be

1 appointed by the Governor. The salary and duties of the  
2 Executive Director shall be fixed by the Board.

3 The Governor shall designate one Board member to be  
4 Chairman, who shall serve at the pleasure of the Governor.

5 The Board shall hold at least one meeting each month and  
6 such additional meetings as may be prescribed by Board rules.  
7 In addition, special meetings may be called by the Chairman  
8 or by any 2 Board members, upon delivery of 24 hours written  
9 notice to the office of each member. All Board meetings  
10 shall be open to the public, and public notice of all  
11 meetings shall be given at least 24 hours in advance of each  
12 meeting. In emergency situations in which a majority of the  
13 Board certifies that exigencies of time require the  
14 requirements of public notice and of 24 hour written notice  
15 to members may be dispensed with, and Board members shall  
16 receive such notice as is reasonable under the circumstances.

17 If there is no vacancy on the Board, 4 members of the  
18 Board shall constitute a quorum to transact business;  
19 otherwise, a majority of the Board shall constitute a quorum  
20 to transact business, and no vacancy shall impair the right  
21 of the remaining members to exercise all of the powers of the  
22 Board. Every action approved by a majority of the members of  
23 the Board shall be deemed to be the action of the Board. Four  
24 ~~members--of--the-Board-shall-constitute-a-quorum,--and-4-votes~~  
25 ~~shall-be-required-for-any-final-determination-by--the--Board,~~  
26 ~~except--in--a-proceeding-to-remove-a-seal-under-paragraph-(d)~~  
27 ~~of-Section-34-of-this-Act.~~ The Board shall keep a complete  
28 and accurate record of all its meetings.

29 (b) The Board shall determine, define and implement the  
30 environmental control standards applicable in the State of  
31 Illinois and may adopt rules and regulations in accordance  
32 with Title VII of this Act.

33 (c) The Board shall have authority to act for the State  
34 in regard to the adoption of standards for submission to the



1 United States under any federal law respecting environmental  
2 protection. Such standards shall be adopted in accordance  
3 with Title VII of the Act and upon adoption shall be  
4 forwarded to the Environmental Protection Agency for  
5 submission to the United States pursuant to subsections (l)  
6 and (m) of Section 4 of this Act. Nothing in this paragraph  
7 shall limit the discretion of the Governor to delegate  
8 authority granted to the Governor under any federal law.

9 (d) The Board shall have authority to conduct  
10 proceedings upon complaints charging violations of this Act,  
11 any rule or regulation adopted under this Act, or any permit  
12 or term or condition of a permit; upon administrative  
13 citations; upon petitions for variances or adjusted  
14 standards; upon petitions for review of the Agency's final  
15 determinations on permit applications in accordance with  
16 Title X of this Act; upon petitions to remove seals under  
17 Section 34 of this Act; and upon other petitions for review  
18 of final determinations which are made pursuant to this Act  
19 or Board rule and which involve a subject which the Board is  
20 authorized to regulate. The Board may also conduct other  
21 proceedings as may be provided by this Act or any other  
22 statute or rule.

23 (e) In connection with any proceeding pursuant to  
24 subsection (b) or (d) of this Section, the Board may subpoena  
25 and compel the attendance of witnesses and the production of  
26 evidence reasonably necessary to resolution of the matter  
27 under consideration. The Board shall issue such subpoenas  
28 upon the request of any party to a proceeding under  
29 subsection (d) of this Section or upon its own motion.

30 (f) The Board may prescribe reasonable fees for permits  
31 required pursuant to this Act. Such fees in the aggregate  
32 may not exceed the total cost to the Agency for its  
33 inspection and permit systems. The Board may not prescribe  
34 any permit fees which are different in amount from those

1 established by this Act.

2 (Source: P.A. 92-574, eff. 6-26-02.)

3 Section 420-20. The Illinois Low-Level Radioactive Waste  
4 Management Act is amended by changing Section 10.2 as  
5 follows:

6 (420 ILCS 20/10.2) (from Ch. 111 1/2, par. 241-10.2)

7 Sec. 10.2. Creation of Low-Level Radioactive Waste Task  
8 Group; adoption of criteria; selection of site for  
9 characterization.

10 (a) There is hereby created the Low-Level Radioactive  
11 Waste Task Group consisting of the Directors of the  
12 Environmental Protection Agency, the Department of Natural  
13 Resources, and the Department of Nuclear Safety (or their  
14 designees) and 6 additional members designated by the  
15 Governor. The 6 additional members shall ~~be confirmed~~  
16 ~~by the Senate; and (2) receive compensation of \$300 per day~~  
17 ~~for their services on the Task Group unless they are officers~~  
18 ~~or employees of the State, in which case they shall receive~~  
19 ~~no additional compensation.~~

20 Four of the additional members shall have expertise in  
21 the field of geology, hydrogeology, or hydrology. Of the 2  
22 remaining additional members, one shall be a member of the  
23 public with experience in environmental matters and one shall  
24 have at least 5 years experience in local government.

25 Members of the Task Group ~~The Directors of the~~  
26 ~~Environmental Protection Agency, the Department of Natural~~  
27 ~~Resources, and the Department of Nuclear Safety (or their~~  
28 ~~designees)~~ shall receive no additional compensation for their  
29 service on the Task Group. All members of the Task Group  
30 shall be compensated for their expenses. A member of the  
31 Task Group who experiences a significant financial hardship  
32 due to the loss of income on days of attendance at meetings

1 or while otherwise engaged in the business of the Task Group  
2 may be paid a hardship allowance, as determined by and  
3 subject to the approval of the Governor's Travel Control  
4 Board.

5 The Governor shall designate the chairman of the Task  
6 Group. Upon adoption of the criteria under subsection (b) of  
7 this Section, the Directors of the Department of Nuclear  
8 Safety and the Environmental Protection Agency shall be  
9 replaced on the Task Group by members designated by the  
10 Governor and confirmed by the Senate. The members designated  
11 to replace the Directors of the Department of Nuclear Safety  
12 and the Environmental Protection Agency shall have such  
13 expertise as the Governor may determine. The members of the  
14 Task Group shall be members until they resign, are replaced  
15 by the Governor, or the Task Group is abolished. Except as  
16 provided in this Act, the Task Group shall be subject to the  
17 Open Meetings Act and the Illinois Administrative Procedure  
18 Act. Any action required to be taken by the Task Group under  
19 this Act shall be taken by a majority vote of its members. An  
20 identical vote by 5 members of the Task Group shall  
21 constitute a majority vote.

22 (b) To protect the public health, safety and welfare,  
23 the Task Group shall develop proposed criteria for selection  
24 of a site for a regional disposal facility. Principal  
25 criteria shall relate to the geographic, geologic,  
26 seismologic, tectonic, hydrologic, and other scientific  
27 conditions best suited for a regional disposal facility.  
28 Supplemental criteria may relate to land use (including (i)  
29 the location of existing underground mines and (ii) the  
30 exclusion of State parks, State conservation areas, and other  
31 State owned lands identified by the Task Group), economics,  
32 transportation, meteorology, and any other matter identified  
33 by the Task Group as relating to desirable conditions for a  
34 regional disposal facility. All of the criteria shall be as

1 specific as possible.

2 The chairman of the Task Group shall publish a notice of  
3 availability of the proposed criteria in the State newspaper,  
4 make copies of the proposed criteria available without charge  
5 to the public, and hold public hearings to receive comments  
6 on the proposed criteria. Written comments on the proposed  
7 criteria may be submitted to the chairman of the Task Group  
8 within a time period to be determined by the Task Group.  
9 Upon completion of the review of timely submitted comments on  
10 the proposed criteria, the Task Group shall adopt criteria  
11 for selection of a site for a regional disposal facility.  
12 Adoption of the criteria is not subject to the Illinois  
13 Administrative Procedure Act. The chairman of the Task Group  
14 shall provide copies of the criteria to the Governor, the  
15 President and Minority Leader of the Senate, the Speaker and  
16 Minority Leader of the House, and all county boards in the  
17 State of Illinois and shall make copies of the criteria  
18 available without charge to the public.

19 (c) Upon adoption of the criteria, the Director of  
20 Natural Resources shall direct the Scientific Surveys to  
21 screen the State of Illinois. By September 30, 1997, the  
22 Scientific Surveys shall (i) complete a Statewide screening  
23 of the State using available information and the Surveys'  
24 geography-based information system to produce individual and  
25 composite maps showing the application of individual  
26 criteria; (ii) complete the evaluation of all land  
27 volunteered before the effective date of this amendatory Act  
28 of 1997 to determine whether any of the volunteered land  
29 appears likely to satisfy the criteria; (iii) document the  
30 results of the screening and volunteer site evaluations in a  
31 written report and submit the report to the chairman of the  
32 Task Group and to the Director; and (iv) transmit to the Task  
33 Group and to the Department, in a form specified by the Task  
34 Group and the Department, all information and documents

1 assembled by the Scientific Surveys in performing the  
2 obligations of the Scientific Surveys under this Act. Upon  
3 completion of the screening and volunteer site evaluation  
4 process, the Director of the Department of Natural Resources  
5 shall be replaced on the Task Group by a member appointed by  
6 the Governor and confirmed by the Senate. The member  
7 appointed to replace the Director of the Department of  
8 Natural Resources shall have expertise that the Governor  
9 determines to be appropriate.

10 (c-3) By December 1, 2000, the Department, in  
11 consultation with the Task Group, waste generators, and any  
12 interested counties and municipalities and after holding 3  
13 public hearings throughout the State, shall prepare a report  
14 regarding, at a minimum, the impact and ramifications, if  
15 any, of the following factors and circumstances on the  
16 siting, design, licensure, development, construction,  
17 operation, closure, and post-closure care of a regional  
18 disposal facility:

19 (1) the federal, state, and regional programs for  
20 the siting, development, and operation of disposal  
21 facilities for low-level radioactive wastes and the  
22 nature, extent, and likelihood of any legislative or  
23 administrative changes to those programs;

24 (2) (blank);

25 (3) the current and most reliable projections  
26 regarding the costs of the siting, design, development,  
27 construction, operation, closure, decommissioning, and  
28 post-closure care of a regional disposal facility;

29 (4) the current and most reliable estimates of the  
30 total volume of low-level radioactive waste that will be  
31 disposed at a regional disposal facility in Illinois and  
32 the projected annual volume amounts;

33 (5) the nature and extent of the available, if any,  
34 storage and disposal facilities outside the region of the

1 Compact for storage and disposal of low-level radioactive  
2 waste generated from within the region of the Compact;  
3 and

4 (6) the development and implementation of a  
5 voluntary site selection process in which land may be  
6 volunteered for the regional disposal facility jointly by  
7 landowners and (i) the municipality in which the land is  
8 located, (ii) every municipality within 1 1/2 miles of  
9 the land if the land is not within a municipality, or  
10 (iii) the county or counties in which the land is located  
11 if the land is not within a municipality and not within 1  
12 1/2 miles of a municipality. The Director shall provide  
13 copies of the report to the Governor, the President and  
14 Minority Leader of the Senate, and the Speaker and  
15 Minority Leader of the House. The Director shall also  
16 publish a notice of availability of the report in the  
17 State newspaper and make copies of the report available  
18 without charge to the public.

19 (c-5) Following submittal of the report pursuant to  
20 subsection (c-3) of this Section, the Department may adopt  
21 rules establishing a site selection process for the regional  
22 disposal facility. In developing rules, the Department  
23 shall, at a minimum, consider the following:

24 (1) A comprehensive and open process under which  
25 the land for sites recommended and proposed by the  
26 contractor under subsection (e) of this Section shall be  
27 volunteered lands as provided in this Section. Land may  
28 be volunteered for the regional disposal facility jointly  
29 by landowners and (i) the municipality in which the land  
30 is located, (ii) every municipality with 1 1/2 miles of  
31 the land if the land is not within a municipality, or  
32 (iii) the county or counties in which the land is located  
33 if the land is not within a municipality and not within 1  
34 1/2 miles of a municipality.

1           (2) Utilization of the State screening and  
2 volunteer site evaluation report prepared by the  
3 Scientific Surveys under subsection (c) of this Section  
4 for the purpose of determining whether proposed sites  
5 appear likely to satisfy the site selection criteria.

6           (3) Coordination of the site selection process with  
7 the projected annual and total volume of low-level  
8 radioactive waste to be disposed at the regional disposal  
9 facility as identified in the report prepared under  
10 subsection (c-3) of this Section.

11          The site selection process established under this  
12 subsection shall require the contractor selected by the  
13 Department pursuant to Sections 5 and 10 of this Act to  
14 propose one site to the Task Group for approval under  
15 subsections (d) through (i) of this Section.

16          No proposed site shall be selected as the site for the  
17 regional disposal facility unless it satisfies the site  
18 selection criteria established by the Task Group under  
19 subsection (b) of this Section.

20          (d) The contractor selected by the Department under  
21 Sections 5 and 10 of this Act shall conduct evaluations,  
22 including possible intrusive field investigations, of the  
23 sites and locations identified under the site selection  
24 process established under subsection (c-5) of this Section.

25          (e) Upon completion of the site evaluations, the  
26 contractor selected by the Department shall identify one site  
27 of at least 640 acres that appears promising for development  
28 of the regional disposal facility in compliance with the site  
29 selection criteria established by the Task Group pursuant to  
30 subsection (b) of this Section. The contractor may conduct  
31 any other evaluation of the site identified under this  
32 subsection that the contractor deems appropriate to determine  
33 whether the site satisfies the criteria adopted under  
34 subsection (b) of this Section. Upon completion of the

1 evaluations under this subsection, the contractor shall  
2 prepare and submit to the Department a report on the  
3 evaluation of the identified site, including a recommendation  
4 as to whether the identified site should be further  
5 considered for selection as a site for the regional disposal  
6 facility. A site so recommended for further consideration is  
7 hereinafter referred to as a "proposed site".

8 (f) A report completed under subsection (e) of this  
9 Section that recommends a proposed site shall also be  
10 submitted to the chairman of the Task Group. Within 45 days  
11 following receipt of a report, the chairman of the Task Group  
12 shall publish in newspapers of general circulation in the  
13 county or counties in which a proposed site is located a  
14 notice of the availability of the report and a notice of a  
15 public meeting. The chairman of the Task Group shall also,  
16 within the 45-day period, provide copies of the report and  
17 the notice to the Governor, the President and Minority Leader  
18 of the Senate, the Speaker and Minority Leader of the House,  
19 members of the General Assembly from the legislative district  
20 or districts in which a proposed site is located, the county  
21 board or boards of the county or counties containing a  
22 proposed site, and each city, village, and incorporated town  
23 within a 5 mile radius of a proposed site. The chairman of  
24 the Task Group shall make copies of the report available  
25 without charge to the public.

26 (g) The chairman of the Task Group shall convene at  
27 least one public meeting on each proposed site. At the  
28 public meeting or meetings, the contractor selected by the  
29 Department shall present the results of the evaluation of the  
30 proposed site. The Task Group shall receive such other  
31 written and oral information about the proposed site that may  
32 be submitted at the meeting. Following the meeting, the Task  
33 Group shall decide whether the proposed site satisfies the  
34 criteria adopted under subsection (b) of this Section. If



1 the Task Group determines that the proposed site does not  
2 satisfy the criteria, the Department may require a contractor  
3 to submit a further report pursuant to subsection (e) of this  
4 Section proposing another site from the locations identified  
5 under the site selection process established pursuant to  
6 subsection (c-5) of this Section as likely to satisfy the  
7 criteria. Following notice and distribution of the report as  
8 required by subsection (f) of this Section, the new proposed  
9 site shall be the subject of a public meeting under this  
10 subsection. The contractor selected by the Department shall  
11 propose additional sites, and the Task Group shall conduct  
12 additional public meetings, until the Task Group has approved  
13 a proposed site recommended by a contractor as satisfying the  
14 criteria adopted under subsection (b) of this Section. In  
15 the event that the Task Group does not approve any of the  
16 proposed sites recommended by the contractor under this  
17 subsection as satisfying the criteria adopted under  
18 subsection (b) of this Section, the Task Group shall  
19 immediately suspend all work and the Department shall prepare  
20 a study containing, at a minimum, the Department's  
21 recommendations regarding the viability of the site selection  
22 process established pursuant to this Act, based on the  
23 factors and circumstances specified in items (1) through (6)  
24 of subsection (c-3) of Section 10.2. The Department shall  
25 provide copies of the study to the Governor, the President  
26 and Minority Leader of the Senate, and the Speaker and  
27 Minority Leader of the House. The Department shall also  
28 publish a notice of availability of the study in the State  
29 newspaper and make copies of the report available without  
30 charge to the public.

31 (h) (Blank).

32 (i) Upon the Task Group's decision that a proposed site  
33 satisfies the criteria adopted under subsection (b) of this  
34 Section, the contractor shall proceed with the

1 characterization and licensure of the proposed site under  
2 Section 10.3 of this Act and the Task Group shall immediately  
3 suspend all work, except as otherwise specifically required  
4 in subsection (b) of Section 10.3 of this Act.

5 (Source: P.A. 90-29, eff. 6-26-97; 91-601, eff. 8-16-99.)

6 Section 430-85. The Carnival and Amusement Rides Safety  
7 Act is amended by changing Section 2-5 as follows:

8 (430 ILCS 85/2-5) (from Ch. 111 1/2, par. 4055)

9 Sec. 2-5. Expenses. The members of the Board who are  
10 appointed by the Governor shall not receive compensation for  
11 their services but at--the-rate-of-\$36-per-day-for-meeting  
12 days-and shall be entitled to actual and necessary expenses  
13 while conducting the business of the Board. A member of the  
14 Board who experiences a significant financial hardship due to  
15 the loss of income on days of attendance at meetings or while  
16 otherwise engaged in the business of the Board may be paid a  
17 hardship allowance, as determined by and subject to the  
18 approval of the Governor's Travel Control Board.

19 (Source: P.A. 83-1240.)

20 Section 605-10. The Toll Highway Act is amended by  
21 changing Sections 3, 4, 5, and 6 as follows:

22 (605 ILCS 10/3) (from Ch. 121, par. 100-3)

23 Sec. 3. Authority; appointments. There is hereby created  
24 an Authority to be known as The Illinois State Toll Highway  
25 Authority, which is hereby constituted an instrumentality and  
26 an administrative agency of the State of Illinois.

27 Until July 1, 2003 or when all of the new members to be  
28 initially appointed under this amendatory Act of the 93rd  
29 General Assembly have been appointed by the Governor,  
30 whichever occurs later, the said Authority shall consist of

1 11 directors; the Governor and the Secretary of the  
2 Department of Transportation, ex officio, and 9 directors  
3 appointed by the Governor with the advice and consent of the  
4 Senate, from the State at large, which said directors and  
5 their successors are hereby authorized to carry out the  
6 provisions of this Act, and to exercise the powers herein  
7 conferred.

8 The term of each appointed member of the Authority who is  
9 in office on June 30, 2003 shall terminate at the close of  
10 business on that date or when all of the new members to be  
11 initially appointed under this amendatory Act of the 93rd  
12 General Assembly have been appointed by the Governor,  
13 whichever occurs later.

14 Beginning on July 1, 2003 or when all of the new members  
15 to be initially appointed under this amendatory Act of the  
16 93rd General Assembly have been appointed by the Governor,  
17 whichever occurs later, the Authority shall consist of 9  
18 directors: the Governor and the Secretary of Transportation,  
19 ex officio, and 7 directors appointed by the Governor with  
20 the advice and consent of the Senate, from the State at  
21 large; which directors are hereby authorized to carry out the  
22 provisions of this Act and to exercise the powers herein  
23 conferred.

24 Of the 7 ~~the-9~~ directors appointed by the Governor, no  
25 more than 4 ~~than--5~~ shall be members of the same political  
26 party. Vacancies shall be filled for the unexpired term in  
27 the same manner as original appointments. All appointments  
28 shall be in writing and filed with the Secretary of State as  
29 a public record. It is the intention of this Section that  
30 the Governor's appointments shall be made with due  
31 consideration to the location of proposed toll highway routes  
32 so that maximum geographic representation from the areas  
33 served by said toll highway routes may be accomplished  
34 insofar as practicable.

1 The said Authority shall have the power to contract and  
2 be contracted with, to acquire, hold and convey personal and  
3 real property or any interest therein including rights of  
4 way, franchises and easements; to have and use a common seal,  
5 and to alter the same at will; to make and establish  
6 resolutions, by-laws, rules, rates and regulations, and to  
7 alter or repeal the same as the Authority shall deem  
8 necessary and expedient for the construction, operation,  
9 relocation, regulation and maintenance of a system of toll  
10 highways within and through the State of Illinois.

11 ~~Appointment-of-the-additional-directors-provided--for--by~~  
12 ~~this--amendatory--Act--of--1980--shall-be-made-within-30-days~~  
13 ~~after-the-effective-date-of-this-amendatory-Act-of-1980-~~

14 (Source: P.A. 86-1164.)

15 (605 ILCS 10/4) (from Ch. 121, par. 100-4)

16 Sec. 4. Chairman. Of the directors appointed by the  
17 Governor, one such director shall be appointed by the  
18 Governor as chairman and shall hold office for 4 years from  
19 the date of his appointment, and until his successor shall be  
20 duly appointed and qualified, but shall be subject to removal  
21 by the Governor for incompetency, neglect of duty or  
22 malfeasance.

23 The chairman shall preside at all meetings of the Board  
24 of Directors of the Authority; shall exercise general  
25 supervision over all powers, duties, obligations and  
26 functions of the Authority; and shall approve or disapprove  
27 all resolutions, by-laws, rules, rates and regulations made  
28 and established by the Board of Directors, and if he shall  
29 approve thereof, he shall sign the same, and such as he shall  
30 not approve he shall return to the Board of Directors with  
31 his objections thereto in writing at the next regular meeting  
32 of the Board of Directors occurring after the passage  
33 thereof. Such veto may extend to any one or more items

1 contained in such resolution, by-law, rule, rate or  
2 regulation, or to its entirety; and in case the veto extends  
3 to a part of such resolution, by-law, rule, rate or  
4 regulation, the residue thereof shall take effect and be in  
5 force, but in case the chairman shall fail to return any  
6 resolution, by-law, rule, rate or regulation with his  
7 objections thereto by the time aforesaid, he shall be deemed  
8 to have approved the same, and the same shall take effect  
9 accordingly. Upon the return of any resolution, by-law, rule,  
10 rate or regulation by the chairman, the vote by which the  
11 same was passed shall be reconsidered by the Board of  
12 Directors, and if upon such reconsideration two-thirds of all  
13 the Directors agree by yeas and nays to pass the same, it  
14 shall go into effect notwithstanding the chairman's refusal  
15 to approve thereof.

16 ~~The chairman shall receive a salary of \$18,000 per annum,~~  
17 ~~or as set by the Compensation Review Board, whichever is~~  
18 ~~greater, payable in monthly installments, together with~~  
19 ~~reimbursement for necessary expenses incurred in the~~  
20 ~~performance of his duties.~~

21 The chairman shall be eligible for reappointment.  
22 (Source: P.A. 83-1177.)

23 (605 ILCS 10/5) (from Ch. 121, par. 100-5)

24 Sec. 5. Terms; expenses. Of the original directors,  
25 other than the chairman, so appointed by the Governor  
26 pursuant to this amendatory Act of the 93rd General Assembly,  
27 3 shall hold office for 2 years and 3 shall hold office for 4  
28 years, from the date of their appointment and until their  
29 respective successors shall be duly appointed and qualified,  
30 but shall be subject to removal by the Governor for  
31 incompetency, neglect of duty or malfeasance. In case of  
32 vacancies in such offices during the recess of the Senate,  
33 the Governor shall make a temporary appointment until the

1 next meeting of the Senate when he shall nominate some person  
2 to fill such office and any person so nominated, who is  
3 confirmed by the Senate, shall hold office during the  
4 remainder of the term and until his successor shall be  
5 appointed and qualified. The respective term of the first  
6 directors appointed shall be designated by the Governor at  
7 the time of appointment, but their successors shall each be  
8 appointed for a term of four years, except that any person  
9 appointed to fill a vacancy shall serve only for the  
10 unexpired term. Directors shall be eligible for  
11 reappointment.

12 Directors, including the Chairman, shall receive an  
13 annual salary of \$28,884 for their service on the Authority,  
14 and may be reimbursed for the necessary expenses incurred in  
15 the performance of their duties. Beginning July 1, 2004,  
16 these salaries may be adjusted by the Compensation Review  
17 Board.

18 ~~In--making--the--initial--appointments--of--the--2--additional~~  
19 ~~directors--provided--for--by--this--amendatory--Act--of--1980,--the~~  
20 ~~respective---terms---of--the--2--additional--directors--first~~  
21 ~~appointed--shall--be--designated--by--the--Governor--at--the--time--of~~  
22 ~~appointment--in--such--manner--that--the--term--of--one--such~~  
23 ~~additional--director--shall--expire--at--the--same--time--as--the~~  
24 ~~terms--of--4--of--the--other--directors--and--the--term--of--the--other~~  
25 ~~additional--director--shall--expire--at--the--same--time--as--the~~  
26 ~~terms--of--3--of--the--other--directors;--thereafter--the--terms--shall~~  
27 ~~be--4--years.~~

28 ~~Each--such--director,--other--than--ex--officio--members--shall~~  
29 ~~receive--an--annual--salary--of--\$15,000,--or--as--set--by--the~~  
30 ~~Compensation--Review--Board,--whichever--is--greater,--payable--in~~  
31 ~~monthly--installments,--and--shall--be--reimbursed--for--necessary~~  
32 ~~expenses--incurred--in--the--performance--of--his--duties.~~

33 (Source: P.A. 86-1164.)

1 (605 ILCS 10/6) (from Ch. 121, par. 100-6)

2 Sec. 6. Secretary; Executive Director; quorum.

3 Immediately after such appointment and qualification as  
4 hereinafter provided said chairman and directors shall enter  
5 upon their duties.

6 The directors shall biennially select a secretary, who  
7 may or may not be a director, and if not a director fix his  
8 compensation.

9 The Authority shall have an Executive Director, who shall  
10 be appointed by the Governor. The salary and duties of the  
11 Executive Director shall be fixed by the directors.

12 Five ~~Six~~ directors shall constitute a quorum. No vacancy  
13 in the said Board of Directors shall impair the right of a  
14 quorum of the directors to exercise all the rights and  
15 perform all the duties of the Authority.

16 (Source: P.A. 81-1363.)

17 Section 705-505. The Court of Claims Act is amended by  
18 changing Sections 1, 2, 4, 7, and 16 as follows:

19 (705 ILCS 505/1) (from Ch. 37, par. 439.1)

20 Sec. 1. Creation, appointment. The Court of Claims,  
21 hereinafter called the Court, is created.

22 Until July 1, 2003 or when all of the new judges to be  
23 initially appointed under this amendatory Act of the 93rd  
24 General Assembly have been appointed by the Governor,  
25 whichever occurs later, the Court ~~It~~ shall consist of 7  
26 judges, who are attorneys licensed to practice law in the  
27 State of Illinois, to be appointed by the Governor by and  
28 with the advice and consent of the Senate, one of whom shall  
29 be appointed chief justice.

30 The term of each appointed judge of the Court who is in  
31 office on June 30, 2003 shall terminate at the close of  
32 business on that date or when all of the new judges to be

1 initially appointed under this amendatory Act of the 93rd  
2 General Assembly have been appointed by the Governor,  
3 whichever occurs later.

4 Beginning on July 1, 2003 or when all of the new judges  
5 to be initially appointed under this amendatory Act of the  
6 93rd General Assembly have been appointed by the Governor,  
7 whichever occurs later, the Court shall consist of 5 judges  
8 who are attorneys licensed to practice law in the State of  
9 Illinois, to be appointed by the Governor by and with the  
10 advice and consent of the Senate, one of whom shall be  
11 appointed chief justice.

12 In case of vacancy in such office during the recess of  
13 the Senate, the Governor shall make a temporary appointment  
14 until the next meeting of the Senate, when he shall nominate  
15 some person to fill such office. If the Senate is not in  
16 session at the time this Act takes effect, the Governor shall  
17 make temporary appointments as in case of vacancy.

18 (Source: P.A. 84-1240.)

19 (705 ILCS 505/2) (from Ch. 37, par. 439.2)

20 Sec. 2. Terms. ~~Upon the expiration of the terms of~~  
21 ~~office of the incumbent judges the Governor shall appoint~~  
22 ~~their successors by and with the consent of the Senate for~~  
23 ~~terms of 2, 4 and 6 years commencing on the third Monday in~~  
24 ~~January of the year 1953. Of the 2 new members first~~  
25 ~~appointed after the effective date of this amendatory Act of~~  
26 ~~1983, one shall be appointed to an initial term ending the~~  
27 ~~third Monday in January, 1986, and one shall be appointed to~~  
28 ~~an initial term ending on the third Monday in January, 1988.~~

29 Of the new judges 2 members first appointed after the  
30 effective date of this amendatory Act of the 93rd General  
31 Assembly 1986, one shall be appointed to an initial term  
32 ending on the third Monday in January, 2005 1989, 2 and one  
33 shall be appointed to an initial term ending on the third



1 Monday in January, 2007, and 2 shall be appointed to an  
2 initial term ending on the third Monday in January, 2009  
3 1991. After the expiration of the terms of the judges first  
4 appointed, each of their respective successors shall hold  
5 office for a term of 6 years and until their successors are  
6 appointed and qualified.

7 (Source: P.A. 84-1240.)

8 (705 ILCS 505/4) (from Ch. 37, par. 439.4)

9 Sec. 4. Expenses. A judge shall receive an annual  
10 salary of \$39,000 for his or her service on the Court, and  
11 shall be reimbursed for reasonable expenses necessarily  
12 incurred in the course of that service. Beginning July 1,  
13 2004, these salaries may be adjusted by the Compensation  
14 Review Board. ~~Each judge shall receive an annual salary of:~~  
15 ~~\$20,900 from the third Monday in January, 1979 to the third~~  
16 ~~Monday in January, 1980; \$22,100 from the third Monday in~~  
17 ~~January, 1980 to the third Monday in January, 1981; \$23,400~~  
18 ~~from the third Monday in January, 1981 to the third Monday in~~  
19 ~~January, 1982, and \$25,000 thereafter, or as set by the~~  
20 ~~Compensation Review Board, whichever is greater, payable in~~  
21 ~~equal monthly installments.~~

22 (Source: P.A. 83-1177.)

23 (705 ILCS 505/7) (from Ch. 37, par. 439.7)

24 Sec. 7. Record; clerk; proceedings; administrator;  
25 chambers.

26 (a) The court shall record its acts and proceedings.  
27 The Secretary of State, ex officio, shall be clerk of the  
28 court, but may appoint a deputy, who shall be an officer of  
29 the court, to act in his stead. The deputy shall take an oath  
30 to discharge his duties faithfully and shall be subject to  
31 the direction of the court in the performance thereof.

32 (b) The Court shall have a Court Administrator, who

1 shall be appointed by the Governor. The salary and duties of  
2 the Court Administrator shall be fixed by the Court.

3 (c) The Secretary of State shall provide the court with  
4 suitable court rooms, chambers, office space, and computer  
5 services as are necessary and proper for the transaction of  
6 its business.

7 (Source: P.A. 83-865.)

8 (705 ILCS 505/16) (from Ch. 37, par. 439.16)

9 Sec. 16. Concurrence of judges.

10 If there is no vacancy on the Court, the concurrence of 4  
11 judges of the Court is necessary to the decision of a case;  
12 otherwise, the concurrence of a majority of the judges then  
13 servicing on the Court is necessary to the decision of any  
14 case; provided, however, that the court in its discretion may  
15 assign any case to a commissioner for hearing and final  
16 decision, subject to whatever right of review the court by  
17 rule may choose to exercise. In matters involving the award  
18 of emergency funds under the Crime Victims Compensation Act,  
19 the decision of one judge is necessary to award emergency  
20 funds.

21 No vacancy on the Court shall impair the right of the  
22 remaining judges to exercise all of the powers of the Court.  
23 Every action approved by a majority of the judges then  
24 servicing on the Court shall be deemed to be the action of the  
25 Court.

26 (Source: P.A. 92-286, eff. 1-1-02.)

27 Section 730-5. The Unified Code of Corrections is  
28 amended by changing Section 3-3-1 as follows:

29 (730 ILCS 5/3-3-1) (from Ch. 38, par. 1003-3-1)

30 Sec. 3-3-1. Establishment and Appointment of Prisoner  
31 Review Board.

1 (a) There shall be a Prisoner Review Board independent  
2 of the Department of Corrections which shall be:

3 (1) the paroling authority for persons sentenced  
4 under the law in effect prior to the effective date of  
5 this amendatory Act of 1977;

6 (2) the board of review for cases involving the  
7 revocation of good conduct credits or a suspension or  
8 reduction in the rate of accumulating such credit;

9 (3) the board of review and recommendation for the  
10 exercise of executive clemency by the Governor;

11 (4) the authority for establishing release dates  
12 for certain prisoners sentenced under the law in  
13 existence prior to the effective date of this amendatory  
14 Act of 1977, in accordance with Section 3-3-2.1 of this  
15 Code;

16 (5) the authority for setting conditions for parole  
17 and mandatory supervised release under Section 5-8-1(a)  
18 of this Code, and determining whether a violation of  
19 those conditions warrant revocation of parole or  
20 mandatory supervised release or the imposition of other  
21 sanctions.

22 (b) The Board shall consist of 15 persons appointed by  
23 the Governor by and with the advice and consent of the  
24 Senate. One member of the Board shall be designated by the  
25 Governor to be Chairman and shall serve as Chairman at the  
26 pleasure of the Governor. The members of the Board shall  
27 have had at least 5 years of actual experience in the fields  
28 of penology, corrections work, law enforcement, sociology,  
29 law, education, social work, medicine, psychology, other  
30 behavioral sciences, or a combination thereof. At least 6  
31 members so appointed must have had at least 3 years  
32 experience in the field of juvenile matters. No more than 8  
33 Board members may be members of the same political party.

34 Each member of the Board shall serve on a full-time full

1 time basis and shall not hold any other salaried public  
2 office, whether elective or appointive, nor any other office  
3 or position of profit, nor engage in any other business,  
4 employment, or vocation. The Chairman of the Board shall  
5 receive \$35,000 a year, or an amount set by the Compensation  
6 Review Board, whichever is greater, and each other member  
7 \$30,000, or an amount set by the Compensation Review Board,  
8 whichever is greater.

9 (c) Notwithstanding any other provision of this Section,  
10 the term of each member of the Board who was appointed by the  
11 Governor and is in office on June 30, 2003 shall terminate at  
12 the close of business on that date or when all of the  
13 successor members to be appointed pursuant to this amendatory  
14 Act of the 93rd General Assembly have been appointed by the  
15 Governor, whichever occurs later. As soon as possible, the  
16 Governor shall appoint persons to fill the vacancies created  
17 by this amendatory Act.

18 ~~The--terms--of--the--present--members--of--the--Prisoner--Review~~  
19 ~~Board--shall--expire--on--the--effective--date--of--this--amendatory~~  
20 ~~Act--of--1985,--but--the--incumbent--members--shall--continue--to~~  
21 ~~exercise--all--of--the--powers--and--be--subject--to--all--the--duties~~  
22 ~~of--members--of--the--Board--until--their--respective--successors--are~~  
23 ~~appointed--and--qualified.~~

24 Of the initial members appointed under this amendatory  
25 Act of the 93rd General Assembly, the Governor shall appoint  
26 5 members ~~3-members~~ to the Prisoner Review Board whose terms  
27 shall expire on the third Monday in January 2005, 5 ~~1987,--4~~  
28 members whose terms shall expire on the third Monday in  
29 January 2007, and 5 ~~1989,--and-3~~ members whose terms shall  
30 expire on the third Monday in January 2009. ~~1991.--The-term~~  
31 ~~of--one--of--the--members--created--by--this--amendatory--Act--of--1986~~  
32 ~~shall--expire--on--the--third--Monday--in--January--1989--and--the--term~~  
33 ~~of--the--other--shall--expire--on--the--third--Monday--in--January~~  
34 ~~1991.---The--initial--terms--of--the--3--additional---members~~

1 ~~appointed-pursuant-to-this-amendatory-Act-of-the-91st-General~~  
2 ~~Assembly--shall--expire--on-the-third-Monday-in-January-2006-~~  
3 Their respective successors shall be appointed for terms of 6  
4 years from the third Monday in January of the year of  
5 appointment. Each member shall serve until his successor is  
6 appointed and qualified.

7 Any member may be removed by the Governor for  
8 incompetence, neglect of duty, malfeasance or inability to  
9 serve.

10 (d) The Chairman of the Board shall be its chief  
11 executive and administrative officer.

12 (Source: P.A. 91-798, eff. 7-9-00; 91-946, eff. 2-9-01.)

13 Section 775-5. The Illinois Human Rights Act is amended  
14 by changing Section 8-101 as follows:

15 (775 ILCS 5/8-101) (from Ch. 68, par. 8-101)

16 Sec. 8-101. Illinois Human Rights Commission.}

17 (A) Creation; Appointments. The Human Rights Commission  
18 is created.

19 Until July 1, 2003 or when all of the new members to be  
20 initially appointed under this amendatory Act of the 93rd  
21 General Assembly have been appointed by the Governor,  
22 whichever occurs later, the Human Rights Commission shall to  
23 consist of 13 members appointed by the Governor with the  
24 advice and consent of the Senate. No more than 7 members  
25 shall be of the same political party.

26 The term of each appointed member of the Commission who  
27 is in office on June 30, 2003 shall terminate at the close of  
28 business on that date or when all of the new members to be  
29 initially appointed under this amendatory Act of the 93rd  
30 General Assembly have been appointed by the Governor,  
31 whichever occurs later.

32 Beginning on July 1, 2003 or when all of the new members

1 to be initially appointed under this amendatory Act of the  
2 93rd General Assembly have been appointed by the Governor,  
3 whichever occurs later, the Human Rights Commission shall  
4 consist of 9 members appointed by the Governor with the  
5 advice and consent of the Senate. No more than 5 members  
6 shall be of the same political party.

7 The Governor shall designate one member as chairperson.  
8 All appointments shall be in writing and filed with the  
9 Secretary of State as a public record.

10 (B) Terms. Of the members first appointed pursuant to  
11 this amendatory Act of the 93rd General Assembly, 4 shall be  
12 appointed for a term to expire on the third Monday of  
13 January, 2005 1981, and 5 (including the Chairperson) shall  
14 be appointed for a term to expire on the third Monday of  
15 January, 2007 1983.

16 ~~Notwithstanding any provision of this Section to the~~  
17 ~~contrary, the term of office of each member of the Illinois~~  
18 ~~Human Rights Commission is abolished on July 29, 1985, but~~  
19 ~~the incumbent members shall continue to exercise all of the~~  
20 ~~powers and be subject to all of the duties of members of the~~  
21 ~~Commission until their respective successors are appointed~~  
22 ~~and qualified. Subject to the provisions of subsection (A),~~  
23 ~~of the 9 members appointed under Public Act 84-115, effective~~  
24 ~~July 29, 1985, 5 members shall be appointed for terms to~~  
25 ~~expire on the third Monday of January, 1987, and 4 members~~  
26 ~~shall be appointed for terms to expire on the third Monday of~~  
27 ~~January, 1989; and of the 4 additional members appointed~~  
28 ~~under Public Act 84-1084, effective December 2, 1985, two~~  
29 ~~shall be appointed for a term to expire on the third Monday~~  
30 ~~of January, 1987, and two members shall be appointed for a~~  
31 ~~term to expire on the third Monday of January, 1989.~~

32 Thereafter, each member shall serve for a term of 4 years  
33 and until his or her successor is appointed and qualified;  
34 except that any member chosen to fill a vacancy occurring

1 otherwise than by expiration of a term shall be appointed  
2 only for the unexpired term of the member whom he or she  
3 shall succeed and until his or her successor is appointed and  
4 qualified.

5 (C) Vacancies.

6 (1) In the case of vacancies on the Commission during a  
7 recess of the Senate, the Governor shall make a temporary  
8 appointment until the next meeting of the Senate when he or  
9 she shall appoint a person to fill the vacancy. Any person  
10 so nominated and confirmed by the Senate shall hold office  
11 for the remainder of the term and until his or her successor  
12 is appointed and qualified.

13 (2) If the Senate is not in session at the time this Act  
14 takes effect, the Governor shall make temporary appointments  
15 to the Commission as in the case of vacancies.

16 (3) Vacancies in the Commission shall not impair the  
17 right of the remaining members to exercise all the powers of  
18 the Commission. Except when authorized by this Act to  
19 proceed through a 3 member panel, a majority of the members  
20 of the Commission then in office shall constitute a quorum.

21 (D) Compensation. ~~The--Chairperson--of--the--Commission~~  
22 ~~shall--be--compensated--at--the--rate--of--\$22,500--per--year,--or--as~~  
23 ~~set--by--the--Compensation--Review--Board,--whichever--is--greater,~~  
24 ~~during--his--or--her--service--as--Chairperson,--and--each--other~~  
25 ~~member--shall--be--compensated--at--the--rate--of--\$20,000--per--year,~~  
26 ~~or--as--set--by--the--Compensation--Review--Board,--whichever--is~~  
27 ~~greater.--In--addition,--all~~ Members of the Commission shall  
28 receive an annual salary of \$39,000 for their service and  
29 shall be reimbursed for expenses actually and necessarily  
30 incurred by them in the performance of their duties.  
31 Beginning July 1, 2004, these salaries may be adjusted by the  
32 Compensation Review Board.

33 (Source: P.A. 84-1308.)

1 Section 820-305. The Workers' Compensation Act is  
2 amended by changing Section 13 as follows:

3 (820 ILCS 305/13) (from Ch. 48, par. 138.13)

4 Sec. 13. There is created an Industrial Commission  
5 consisting of 7 members to be appointed by the Governor, by  
6 and with the consent of the Senate, 2 of whom shall be  
7 representative citizens of the employing class operating  
8 under this Act and 2 of whom shall be representative citizens  
9 of the class of employees covered under this Act, and 3 of  
10 whom shall be representative citizens not identified with  
11 either the employing or employee classes. Not more than 4  
12 members of the Commission shall be of the same political  
13 party.

14 One of the 3 members not identified with either the  
15 employing or employee classes shall be designated by the  
16 Governor as Chairman. The Chairman shall be the chief  
17 administrative and executive officer of the Commission; and  
18 he or she shall have general supervisory authority over all  
19 personnel of the Commission, including arbitrators and  
20 Commissioners, and the final authority in all administrative  
21 matters relating to the Commissioners, including but not  
22 limited to the assignment and distribution of cases and  
23 assignment of Commissioners to the panels, except in the  
24 promulgation of procedural rules and orders under Section 16  
25 and in the determination of cases under this Act.

26 Notwithstanding the general supervisory authority of the  
27 Chairman, each Commissioner, except those assigned to the  
28 temporary panel, shall have the authority to hire and  
29 supervise 2 staff attorneys each. Such staff attorneys shall  
30 report directly to the individual Commissioner.

31 A formal training program for newly-appointed  
32 Commissioners shall be implemented. The training program  
33 shall include the following:



1 (a) substantive and procedural aspects of the  
2 office of Commissioner;

3 (b) current issues in workers' compensation law and  
4 practice;

5 (c) medical lectures by specialists in areas such  
6 as orthopedics, ophthalmology, psychiatry, rehabilitation  
7 counseling;

8 (d) orientation to each operational unit of the  
9 Industrial Commission;

10 (e) observation of experienced arbitrators and  
11 Commissioners conducting hearings of cases, combined with  
12 the opportunity to discuss evidence presented and rulings  
13 made;

14 (f) the use of hypothetical cases requiring the  
15 newly-appointed Commissioner to issue judgments as a  
16 means to evaluating knowledge and writing ability;

17 (g) writing skills.

18 A formal and ongoing professional development program  
19 including, but not limited to, the above-noted areas shall be  
20 implemented to keep Commissioners informed of recent  
21 developments and issues and to assist them in maintaining and  
22 enhancing their professional competence.

23 The Commissioner candidates, other than the Chairman,  
24 must meet one of the following qualifications: (a) licensed  
25 to practice law in the State of Illinois; or (b) served as an  
26 arbitrator at the Illinois Industrial Commission for at least  
27 3 years; or (c) has at least 4 years of professional labor  
28 relations experience. The Chairman candidate must have  
29 public or private sector management and budget experience, as  
30 determined by the Governor.

31 Each Commissioner shall devote full time to his duties  
32 and any Commissioner who is an attorney-at-law shall not  
33 engage in the practice of law, nor shall any Commissioner  
34 hold any other office or position of profit under the United

1 States or this State or any municipal corporation or  
2 political subdivision of this State, nor engage in any other  
3 business, employment, or vocation.

4 The term of office of each member of the Commission  
5 holding office on the effective date of this amendatory Act  
6 of 1989 is abolished, but the incumbents shall continue to  
7 exercise all of the powers and be subject to all of the  
8 duties of Commissioners until their respective successors are  
9 appointed and qualified.

10 The Industrial Commission shall administer this Act.

11 The members shall be appointed by the Governor, with the  
12 advice and consent of the Senate, as follows:

13 (a) After the effective date of this amendatory Act  
14 of 1989, 3 members, at least one of each political party,  
15 and one of whom shall be a representative citizen of the  
16 employing class operating under this Act, one of whom  
17 shall be a representative citizen of the class of  
18 employees covered under this Act, and one of whom shall  
19 be a representative citizen not identified with either  
20 the employing or employee classes, shall be appointed to  
21 hold office until the third Monday in January of 1993,  
22 and until their successors are appointed and qualified,  
23 and 4 members, one of whom shall be a representative  
24 citizen of the employing class operating under this Act,  
25 one of whom shall be a representative citizen of the  
26 class of employees covered in this Act, and two of whom  
27 shall be representative citizens not identified with  
28 either the employing or employee classes, one of whom  
29 shall be designated by the Governor as Chairman (at least  
30 one of each of the two major political parties) shall be  
31 appointed to hold office until the third Monday of  
32 January in 1991, and until their successors are appointed  
33 and qualified.

34 (a-5) Notwithstanding any other provision of this

1 Section, the term of each member of the Commission who  
2 was appointed by the Governor and is in office on June  
3 30, 2003 shall terminate at the close of business on that  
4 date or when all of the successor members to be appointed  
5 pursuant to this amendatory Act of the 93rd General  
6 Assembly have been appointed by the Governor, whichever  
7 occurs later. As soon as possible, the Governor shall  
8 appoint persons to fill the vacancies created by this  
9 amendatory Act. Of the initial commissioners appointed  
10 pursuant to this amendatory Act of the 93rd General  
11 Assembly, 3 shall be appointed for terms ending on the  
12 third Monday in January, 2005, and 4 shall be appointed  
13 for terms ending on the third Monday in January, 2007.

14 (b) Members shall thereafter be appointed to hold  
15 office for terms of 4 years from the third Monday in  
16 January of the year of their appointment, and until their  
17 successors are appointed and qualified. All such  
18 appointments shall be made so that the composition of the  
19 Commission is in accordance with the provisions of the  
20 first paragraph of this Section.

21 The Chairman shall receive an annual salary of \$42,500,  
22 or a salary set by the Compensation Review Board, whichever  
23 is greater, and each other member shall receive an annual  
24 salary of \$38,000, or a salary set by the Compensation Review  
25 Board, whichever is greater.

26 In case of a vacancy in the office of a Commissioner  
27 during the recess of the Senate, the Governor shall make a  
28 temporary appointment until the next meeting of the Senate,  
29 when he shall nominate some person to fill such office. Any  
30 person so nominated who is confirmed by the Senate shall hold  
31 office during the remainder of the term and until his  
32 successor is appointed and qualified.

33 The Industrial Commission created by this amendatory Act  
34 of 1989 shall succeed to all the rights, powers, duties,

1 obligations, records and other property and employees of the  
2 Industrial Commission which it replaces as modified by this  
3 amendatory Act of 1989 and all applications and reports to  
4 actions and proceedings of such prior Industrial Commission  
5 shall be considered as applications and reports to actions  
6 and proceedings of the Industrial Commission created by this  
7 amendatory Act of 1989.

8 Notwithstanding any other provision of this Act, in the  
9 event the Chairman shall make a finding that a member is or  
10 will be unavailable to fulfill the responsibilities of his or  
11 her office, the Chairman shall advise the Governor and the  
12 member in writing and shall designate a certified arbitrator  
13 to serve as acting Commissioner. The certified arbitrator  
14 shall act as a Commissioner until the member resumes the  
15 duties of his or her office or until a new member is  
16 appointed by the Governor, by and with the consent of the  
17 Senate, if a vacancy occurs in the office of the  
18 Commissioner, but in no event shall a certified arbitrator  
19 serve in the capacity of Commissioner for more than 6 months  
20 from the date of appointment by the Chairman. A finding by  
21 the Chairman that a member is or will be unavailable to  
22 fulfill the responsibilities of his or her office shall be  
23 based upon notice to the Chairman by a member that he or she  
24 will be unavailable or facts and circumstances made known to  
25 the Chairman which lead him to reasonably find that a member  
26 is unavailable to fulfill the responsibilities of his or her  
27 office. The designation of a certified arbitrator to act as  
28 a Commissioner shall be considered representative of citizens  
29 not identified with either the employing or employee classes  
30 and the arbitrator shall serve regardless of his or her  
31 political affiliation. A certified arbitrator who serves as  
32 an acting Commissioner shall have all the rights and powers  
33 of a Commissioner, including salary.

34 Notwithstanding any other provision of this Act, the

1 Governor shall appoint a special panel of Commissioners  
2 comprised of 3 members who shall be chosen by the Governor,  
3 by and with the consent of the Senate, from among the current  
4 ranks of certified arbitrators. Three members shall hold  
5 office until the Commission in consultation with the Governor  
6 determines that the caseload on review has been reduced  
7 sufficiently to allow cases to proceed in a timely manner or  
8 for a term of 18 months from the effective date of their  
9 appointment by the Governor, whichever shall be earlier. The  
10 3 members shall be considered representative of citizens not  
11 identified with either the employing or employee classes and  
12 shall serve regardless of political affiliation. Each of the  
13 3 members shall have only such rights and powers of a  
14 Commissioner necessary to dispose of those cases assigned to  
15 the special panel. Each of the 3 members appointed to the  
16 special panel shall receive the same salary as other  
17 Commissioners for the duration of the panel.

18 The Commission may have an Executive Director, who shall  
19 be appointed by the Governor. The salary and duties of the  
20 Executive Director shall be fixed by the Commission.

21 (Source: P.A. 86-998; 86-1405.)

22 Section 999-85. Severability. The provisions of this  
23 Act are severable under Section 1.31 of the Statute on  
24 Statutes.

25 Section 999-95. No acceleration or delay. Where this  
26 Act makes changes in a statute that is represented in this  
27 Act by text that is not yet or no longer in effect (for  
28 example, a Section represented by multiple versions), the use  
29 of that text does not accelerate or delay the taking effect  
30 of (i) the changes made by this Act or (ii) provisions  
31 derived from any other Public Act.

1 Section 999-99. Effective date. This Act takes effect  
2 upon becoming law."