

1 AN ACT concerning natural resources.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Civil Administrative Code of Illinois is  
5 amended by changing Section 5-560 as follows:

6 (20 ILCS 5/5-560) (was 20 ILCS 5/6.08)

7 Sec. 5-560. In the Department of Natural Resources. An  
8 Advisory Board to the Department of Natural Resources,  
9 composed of 13 persons, ~~one of whom shall be a senior citizen~~  
10 ~~age 60 or over.~~ Of the 13 appointed members, at least 2 shall  
11 represent hunting and fishing interests, 2 shall represent  
12 natural areas protection interests, 2 shall represent urban  
13 conservation interests, one shall represent parks and  
14 recreation interests, one shall represent outdoor powersport  
15 usage interests, one shall be a member of a statewide  
16 association of trappers and represent trapping interests, one  
17 shall represent forestry interests, and the remaining 3 shall  
18 be residents of this State. The Governor shall appoint a chair  
19 who will preside over the Board's meetings.

20 ~~In the appointment of the initial members the Governor~~  
21 ~~shall designate 3 persons to serve for 2 years, 3 for 4 years,~~  
22 ~~and 3 for 6 years from the third Monday in January of the~~  
23 ~~odd-numbered year in which the term commences. The members~~

1 ~~first appointed under this amendatory Act of 1984 shall serve~~  
2 ~~a term of 6 years commencing on the third Monday in January,~~  
3 ~~1985. The members first appointed under this amendatory Act of~~  
4 ~~the 91st General Assembly shall each be appointed to a term of~~  
5 ~~office to expire on the third Monday in January of 2006. All~~  
6 ~~subsequent appointments shall be for terms of 6 years.~~

7 Notwithstanding any provision of law to the contrary, the  
8 term of office of each member of the Board is abolished on  
9 August 1, 2022. Incumbent members holding a position on the  
10 Board on August 1, 2022 may be reappointed. In making  
11 appointments to fill the vacancies created on August 1, 2022,  
12 the Governor shall designate 4 members to serve until the  
13 third Monday of January, 2024, 4 members to serve until the  
14 third Monday of January, 2025, and 5 members to serve until the  
15 third Monday of January, 2026. All newly appointed members  
16 shall serve until their successors are appointed and  
17 qualified. Their successors shall be appointed to serve for  
18 3-year terms expiring on the 3rd anniversary of their  
19 appointment or until their successors are appointed and  
20 qualified. Each subsequent appointment shall be for a term of  
21 3 years.

22 The Advisory Board shall formulate and present long range  
23 recommendations to ~~policies for guidance of~~ the Department in:  
24 the protection and conservation of renewable resources of the  
25 State ~~of Illinois~~; the development of areas and facilities for  
26 outdoor recreation; the proper restoration and management of

1 forest and woodland resources for forest products and  
2 ecosystem services ~~prevention of timber destruction and other~~  
3 ~~forest growth by fire or otherwise;~~ the reforestation of  
4 suitable lands of this State; the extension of cooperative  
5 support to other agencies of this State in preventing ~~and~~  
6 ~~guarding against~~ the pollution of streams and lakes within the  
7 State; the management of fish and ~~the~~ wildlife resources and  
8 the habitats upon which they depend, including species of  
9 greatest conservation need ~~migratory fowl, and fisheries~~  
10 ~~resources, including the construction of new water impoundment~~  
11 ~~areas;~~ the development of an adequate research program for  
12 fish, wildlife game, and forestry, and conservation of the  
13 State's biodiversity through cooperation with and support of  
14 the Illinois Natural History Survey and the State University  
15 system; the development and dissemination of information and  
16 educational resources that promote a conservation-literate  
17 population; the development of innovative partnerships that  
18 assist the Department in accomplishing its broad mission; the  
19 Department's grant programs; and the development of law and  
20 policy ~~expressing of policies for proper dissemination of and~~  
21 ~~enforcement of the various laws~~ pertinent to the conservation  
22 programs ~~program~~ of Illinois and the nation.

23 ~~The Board shall make a study of the personnel structure of~~  
24 ~~the Department and shall, from time to time, make~~  
25 ~~recommendations to the Governor and the Director of Natural~~  
26 ~~Resources for a merit system of employment and for the~~

1 ~~revision of the position classification to the extent which~~  
2 ~~Civil Service classification should apply in departmental~~  
3 ~~positions.~~

4 The Board may advise on ~~shall make studies of~~ the land  
5 acquisition needs of the Department and make recommendations  
6 from time to time as to necessary acquisition of lands for fish  
7 ~~fisheries~~, wildlife game, forestry, conservation of natural  
8 areas, and recreational development.

9 The Board may recommend to the Director of Natural  
10 Resources any reductions or increases of seasons and bag or  
11 possession limits or the closure of any season when research  
12 and inventory data indicate the need for those changes.

13 Board members shall be reimbursed for any necessary travel  
14 expenses incurred in the performance of their duties.

15 (Source: P.A. 90-435, eff. 1-1-98; 91-239, eff. 1-1-00;  
16 91-798, eff. 7-9-00.)

17 Section 10. The Wildlife Code is amended by changing  
18 Section 1.3 as follows:

19 (520 ILCS 5/1.3)

20 Sec. 1.3. The Department shall have the authority to  
21 manage wildlife and regulate the taking of wildlife for the  
22 purposes of providing public recreation and controlling  
23 wildlife populations. The seasons during which wildlife may be  
24 taken, the methods for taking wildlife, the daily bag limits,

1 and the possession limits shall be established by the  
2 Department through administrative rule, but the Department may  
3 not provide for a longer season, a larger daily bag limit, or a  
4 larger possession limit than is provided in this Code.

5 ~~The Natural Resources Advisory Board may also recommend to~~  
6 ~~the Director of Natural Resources any reductions or increases~~  
7 ~~of seasons and bag or possession limits or the closure of any~~  
8 ~~season when research and inventory data indicate the need for~~  
9 ~~such changes.~~

10 The Department is authorized to establish seasons for the  
11 taking of migratory birds within the dates established  
12 annually by Proclamation of the Secretary, United States  
13 Department of the Interior, known as the "Rules and  
14 Regulations for Migratory Bird Hunting" (50 CFR 20 et seq.).  
15 When the biological balance of any species is affected, the  
16 Director may ~~with the approval of the Conservation Advisory~~  
17 ~~Board~~, by administrative rule, lengthen, shorten or close the  
18 season during which waterfowl may be taken within the federal  
19 limitations prescribed. If the Department does not adopt an  
20 administrative rule establishing a season, then the season  
21 shall be as set forth in the current "Rules and Regulations for  
22 Migratory Bird Hunting". The Department shall advise the  
23 public by reasonable means of the dates of the various  
24 seasons.

25 The Department may utilize the services of the staff of  
26 the Illinois Natural History Survey of the University of

1 Illinois for making investigations as to the population status  
2 of the various species of wildlife.

3 Employees or agents of any state, federal, or municipal  
4 government or body when engaged in investigational work and  
5 law enforcement, may with prior approval of the Director, be  
6 exempted from the provisions of this Act.

7 (Source: P.A. 98-346, eff. 8-14-13.)

8 Section 15. The Illinois Open Land Trust Act is amended by  
9 changing Sections 15 and 25 as follows:

10 (525 ILCS 33/15)

11 Sec. 15. Powers and duties. The Department of Natural  
12 Resources has the following powers and duties:

13 (a) To develop and administer the Illinois Open Land Trust  
14 program.

15 (b) To acquire real property, including, but not limited  
16 to, open space and natural areas for conservation and  
17 recreation purposes. The lands shall be held in (i) fee simple  
18 title or (ii) conservation easements for natural areas,  
19 provided that these mechanisms are all voluntary on the part  
20 of the landowners and do not involve the use of eminent domain.

21 (c) To make grants to units of local government under  
22 Section 25 of this Act ~~in consultation with the Natural~~  
23 ~~Resources Advisory Board.~~

24 (d) To make loans to units of local government under

1 Section 30 of this Act ~~in consultation with the Natural~~  
2 ~~Resources Advisory Board.~~

3 (e) To promulgate any rules, regulations, guidelines, and  
4 directives necessary to implement the purposes of this Act.

5 (f) To execute contracts, grant or loan agreements,  
6 memoranda of understanding, intergovernmental cooperation  
7 agreements, and any other agreements with other State agencies  
8 and units of local government that are necessary to implement  
9 this Act.

10 (g) To execute contracts, memoranda of understanding, and  
11 any other agreements with not-for-profit corporations that are  
12 consistent with the purpose of this Act.

13 (h) To accept grants, loans, or appropriations from the  
14 federal government or the State, or any agency or  
15 instrumentality thereof, for the purposes of the Department  
16 under this Act, including to make loans of any funds and to  
17 enter into any agreement with the federal government or the  
18 State, or any agency or instrumentality thereof, in  
19 relationship to the grants, loans, or appropriations.

20 (i) To establish any interest rates, terms of repayment,  
21 and other terms and conditions regarding loans made pursuant  
22 to this Act that the Department deems necessary or appropriate  
23 to protect the public interest and carry out the purposes of  
24 this Act.

25 (j) To establish application, eligibility, selection,  
26 notification, contract, and other procedures, rules, or

1 regulations deemed necessary and appropriate to carry out the  
2 provisions of this Act.

3 (k) To fix, determine, charge, and collect any premiums,  
4 fees, charges, costs, and expenses, including, without  
5 limitation, any application fees, commitment fees, program  
6 fees, or financing charges from any person in connection with  
7 its activities under this Act.

8 (l) To report annually to the Governor and the General  
9 Assembly on the progress made in implementing this Act and on  
10 the status of all real property acquired pursuant to the Act.

11 (Source: P.A. 91-220, eff. 7-21-99.)

12 (525 ILCS 33/25)

13 Sec. 25. Grant program. From appropriations for these  
14 purposes, the Department may make grants to units of local  
15 government as financial assistance for the acquisition of open  
16 space and natural lands if the Department determines that the  
17 property interests are sufficient to carry out the purposes of  
18 this Act.

19 The Department shall adopt rules concerning the selection  
20 or grant recipients, amount of grant awards, and eligibility  
21 requirements. The rules must include the following additional  
22 requirements:

23 (1) No more than \$2,000,000 may be awarded to any  
24 grantee for a single project for any fiscal year.

25 (2) Any grant under this Act must be conditioned upon



1 the grantee providing a required match as defined by rule.

2 (3) Funds may be used only to purchase interests in  
3 land from willing sellers and may not involve the use of  
4 eminent domain.

5 (4) (Blank). ~~The Department shall provide for a public~~  
6 ~~meeting to be conducted by the Natural Resources Advisory~~  
7 ~~Board prior to grant approval.~~

8 (5) All real property acquired with grant funds must  
9 be accessible to the public for conservation and  
10 recreation purposes, unless the Department determines that  
11 public accessibility would be detrimental to the real  
12 property or any associated natural resources.

13 (6) No real property acquired with grant funds may be  
14 sold, leased, exchanged, or otherwise encumbered, unless  
15 it is used to qualify for a federal program or, subject to  
16 Department approval, transferred to the federal  
17 government, the State, or a unit of local government for  
18 conservation and recreation purposes consistent with this  
19 Act.

20 (7) All grantees must agree to convey to the State at  
21 no charge a conservation easement on the lands to be  
22 acquired using the grant funds.

23 (8) Grantees must agree to manage lands in accordance  
24 with the terms of the grant. Any changes in management  
25 must be approved by the Department before implementation.

26 (9) The Department is authorized to promulgate, by

1 rule, any other reasonable requirements determined  
2 necessary to effectively implement this Act.

3 (Source: P.A. 91-220, eff. 7-21-99.)