



Sen. Kimberly A. Lightford

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LRB102 10757 RJF 29577 a

1 AMENDMENT TO SENATE BILL 302

2 AMENDMENT NO. _____. Amend Senate Bill 302 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Records Act is amended by changing
5 Sections 16 and 22a as follows:

6 (5 ILCS 160/16) (from Ch. 116, par. 43.19)

7 Sec. 16. There is created the State Records Commission.
8 The Commission shall consist of the following State officials
9 or their authorized representatives: the Secretary of State,
10 who shall act as chairman; the Executive Director of the
11 Abraham Lincoln Presidential Library and Museum ~~the State~~
12 ~~Historian~~, who shall serve as secretary; the State Treasurer;
13 the Director of Central Management Services; the Attorney
14 General; and the State Comptroller. The Commission shall meet
15 whenever called by the chairman, who shall have no vote on
16 matters considered by the Commission. It shall be the duty of

1 the Commission to determine what records no longer have any
2 administrative, fiscal, legal, research, or historical value
3 and should be destroyed or disposed of otherwise. The
4 Commission may make recommendations to the Secretary of State
5 concerning policies, guidelines, and best practices for
6 addressing electronic records management issues as authorized
7 under Section 37 of the Government Electronic Records Act.

8 (Source: P.A. 97-249, eff. 8-4-11.)

9 (5 ILCS 160/22a) (from Ch. 116, par. 43.25a)

10 Sec. 22a. There is hereby created the State Archives
11 Advisory Board consisting of 12 voting members and 2 nonvoting
12 members.

13 The voting members shall be appointed by the Secretary of
14 State as follows: A member of the State Records Commission, a
15 member of a Local Records Commission, a member of a local
16 historical society or museum, a university archivist, a person
17 in the field of education specializing in either history or
18 political science, a genealogist, a research or reference
19 librarian, a person who is employed or engaged as an archivist
20 by a business establishment and 4 public members.

21 The nonvoting members shall be the Director of the State
22 Library and the Executive Director of the Abraham Lincoln
23 Presidential Library and Museum ~~State Historian~~ who shall
24 serve ex-officio.

25 Four of the initial appointees shall serve a 1-year term;

1 four shall serve 2-year terms; and the remaining 4 shall serve
2 3-year terms. The terms of the initial appointees shall be
3 specified by the Secretary of State at the time of
4 appointments. Subsequent to the initial appointments all
5 members shall hold office for a period of 3 years. Vacancies
6 shall be filled by appointment of the Secretary of State for
7 the unexpired balance of the term. No person shall serve for
8 more than 2 consecutive 3-year terms.

9 The State Archives Advisory Board shall elect from its own
10 members one chairman and one vice chairman.

11 The members appointed to the Board shall serve without
12 compensation but shall be reimbursed for necessary expenses
13 incurred in the performance of their duties.

14 (Source: P.A. 83-523.)

15 (20 ILCS 3425/Act rep.)

16 Section 10. The State Historical Library Act is repealed.

17 Section 15. The Abraham Lincoln Presidential Library and
18 Museum Act is amended by changing Sections 15, 20, 30, 35, 40,
19 and 45 and by adding Section 3 as follows:

20 (20 ILCS 3475/3 new)

21 Sec. 3. Executive Order superseded. Executive Order No.
22 2017-1 created the Abraham Lincoln Presidential Library and
23 Museum as a State agency under the jurisdiction of the

1 Governor. This Act is the implementation of that Executive
2 Order. To the extent that there is a conflict between the
3 provisions of the Executive Order and this Act, this Act
4 supersedes the Executive Order, and shall be controlling.

5 (20 ILCS 3475/15)

6 Sec. 15. Board. There shall be a Board of Trustees of the
7 Abraham Lincoln Presidential Library and Museum to set policy
8 and advise the Abraham Lincoln Presidential Library and Museum
9 and the Executive Director on programs related to the Abraham
10 Lincoln Presidential Library and Museum and to exercise the
11 powers and duties given to it under Section 25 of this Act. ~~The~~
12 ~~Abraham Lincoln Presidential Library and Museum and the~~
13 ~~Abraham Lincoln Presidential Library Foundation shall mutually~~
14 ~~cooperate to maximize resources available to the Abraham~~
15 ~~Lincoln Presidential Library and Museum and to support,~~
16 ~~sustain, and provide educational programs and collections at~~
17 ~~the Abraham Lincoln Presidential Library and Museum. Any~~
18 ~~membership fees collected by the Abraham Lincoln Presidential~~
19 ~~Library Foundation may be used to support the Abraham Lincoln~~
20 ~~Presidential Library and Museum programs or collections at the~~
21 ~~Foundation's discretion.~~

22 ~~The terms of the mutual cooperation shall be set forth in a~~
23 ~~memorandum of understanding or similar written document for an~~
24 ~~agreed upon term concluding on December 31st of a particular~~
25 ~~year and shall include, at a minimum, the following:~~

1 ~~(a) an authorization by the Agency for the Foundation~~
2 ~~to operate, directly or through subcontractors, food~~
3 ~~service, catering service, and retail activities at the~~
4 ~~Abraham Lincoln Presidential Library and Museum with the~~
5 ~~net proceeds being made available by the Foundation to the~~
6 ~~Abraham Lincoln Presidential Library and Museum;~~

7 ~~(b) a requirement that the Foundation annually provide~~
8 ~~to the Office of the Governor and the General Assembly the~~
9 ~~following:~~

10 ~~(1) any audit of the Foundation's financial~~
11 ~~statements performed by an independent auditor;~~

12 ~~(2) the most recent Form 990 federal tax return~~
13 ~~filed by the Foundation with the Internal Revenue~~
14 ~~Service; and~~

15 ~~(3) an annual report including income and~~
16 ~~expenditures of funds raised as a result of the~~
17 ~~Foundation's operation, directly or through~~
18 ~~subcontractors, for food service, catering service,~~
19 ~~and retail activities at the Abraham Lincoln~~
20 ~~Presidential Library and Museum; and~~

21 ~~(c) the establishment of a working group with 7~~
22 ~~members, composed of 3 members of the Board and 3 members~~
23 ~~of the Board of Directors of the Foundation, with such~~
24 ~~members appointed by the respective chair of each board,~~
25 ~~together with the State Historian. The working group shall~~
26 ~~collaborate to advance the interests of the Agency and, as~~

1 ~~an initial responsibility, shall develop an official~~
2 ~~mission statement for the Agency which shall be presented~~
3 ~~to the Board and the Board of Directors of the Foundation~~
4 ~~for adoption and which shall serve to align and guide the~~
5 ~~efforts of both the Agency and the Foundation. Except for~~
6 ~~the State Historian, ex officio members of either board~~
7 ~~are not eligible to be appointed as members of the working~~
8 ~~group. The working group shall meet at least once each~~
9 ~~quarter and shall be chaired by the State Historian. The~~
10 ~~Foundation shall provide staff support to the working~~
11 ~~group to maintain attendance and other necessary records~~
12 ~~of the working group.~~

13 (Source: P.A. 100-120, eff. 8-18-17; 101-535, eff. 8-23-19.)

14 (20 ILCS 3475/20)

15 Sec. 20. Composition of the Board. The Board of Trustees
16 shall consist of 11 members to be appointed by the Governor,
17 with the advice and consent of the Senate. The Board shall
18 consist of members with the following qualifications:

19 (1) One member shall have recognized knowledge and
20 ability in matters related to business administration.

21 (2) One member shall have recognized knowledge and
22 ability in matters related to the history of Abraham
23 Lincoln.

24 (3) One member shall have recognized knowledge and
25 ability in matters related to the history of Illinois.

1 (4) One member shall have recognized knowledge and
2 ability in matters related to library and museum studies.

3 (5) One member shall have recognized knowledge and
4 ability in matters related to historic preservation.

5 (6) One member shall have recognized knowledge and
6 ability in matters related to cultural tourism.

7 (7) One member shall have recognized knowledge and
8 ability in matters related to conservation, digitization,
9 and technological innovation.

10 The initial terms of office shall be designated by the
11 Governor as follows: one member to serve for a term of one
12 year, 2 members to serve for a term of 2 years, 2 members to
13 serve for a term of 3 years, 2 members to serve for a term of 4
14 years, 2 members to serve for a term of 5 years, and 2 members
15 to serve for a term of 6 years. Thereafter, all appointments
16 shall be for a term of 6 years. The Governor shall appoint one
17 of the members to serve as chairperson at the pleasure of the
18 Governor.

19 The members of the Board shall serve without compensation
20 but shall be entitled to reimbursement for all necessary
21 expenses incurred in the performance of their official duties
22 as members of the Board from funds appropriated for that
23 purpose.

24 ~~To facilitate communication and cooperation between the~~
25 ~~Agency and the Abraham Lincoln Presidential Library~~
26 ~~Foundation, the Foundation CEO shall serve as a non-voting, ex~~

1 ~~officio member of the Board.~~

2 (Source: P.A. 100-120, eff. 8-18-17; 100-863, eff. 8-14-18.)

3 (20 ILCS 3475/30)

4 Sec. 30. Administration of the Agency. The Agency shall be
5 under the supervision and direction of an Executive Director.
6 The person serving on the effective date of this Act as Library
7 Director, as defined in Section 33 of the Historic
8 Preservation Act, shall become the inaugural Executive
9 Director on the effective date of this Act and shall serve as
10 Executive Director until the expiration of his then-current
11 term as Library Director. Thereafter, the Board shall appoint
12 the Executive Director with the advice and consent of the
13 Senate. The Executive Director shall serve at the pleasure of
14 the Board for a term of 4 years. The Executive Director shall,
15 subject to applicable provisions of law, execute and discharge
16 the powers and duties of the Agency. ~~The Executive Director~~
17 ~~shall have hiring power and shall appoint (a) a Library~~
18 ~~Facilities Operations Director; and (b) a Director of the~~
19 ~~Library. The Executive Director shall appoint those other~~
20 ~~employees of the Agency as he or she deems appropriate and~~
21 ~~shall fix the compensation of the Library Facilities~~
22 ~~Operations Director, the Director of the Library and other~~
23 ~~employees.~~ The Executive Director may make provision to
24 establish and collect admission and registration fees, operate
25 a gift shop, and publish and sell educational and

1 informational materials.

2 (Source: P.A. 100-120, eff. 8-18-17; 100-695, eff. 8-3-18.)

3 (20 ILCS 3475/35)

4 Sec. 35. Exchange ~~State Historian; exchange~~ historical
5 records. The Agency ~~State Historian~~ shall make all necessary
6 rules, regulations, and bylaws not inconsistent with law to
7 carry into effect the purposes of this Act and to procure from
8 time to time as may be possible and practicable, at reasonable
9 costs, all books, pamphlets, manuscripts, monographs,
10 writings, and other material of historical interest and useful
11 to the Agency ~~historian~~ bearing upon the political, physical,
12 religious, or social history of the State of Illinois from the
13 earliest known period of time. The Agency ~~State Historian~~ may,
14 with the consent of the Board, exchange any books, pamphlets,
15 manuscripts, records, or other materials which such library
16 may acquire that are of no historical interest or for any
17 reason are of no value to it, with any other library, school or
18 historical society. The Agency ~~State Historian~~ shall
19 distribute volumes of the series known as the Illinois
20 Historical Collections now in print, and to be printed, to all
21 who may apply for same and who pay to the Library and Museum
22 for such volumes an amount fixed by the Agency ~~State Historian~~
23 sufficient to cover the expenses of printing and distribution
24 of each volume received by such applicants. However, the
25 Agency ~~State Historian~~ shall have authority to furnish 25 of

1 each of the volumes of the Illinois Historical Collections,
2 free of charge, to each of the authors and editors of the
3 Collections or parts thereof; to furnish, ~~as in his or her~~
4 ~~discretion he or she deems necessary or desirable,~~ a
5 reasonable number of each of the volumes of the Collections
6 without charge to archives, libraries, and similar
7 institutions from which material has been drawn or assistance
8 has been given in the preparation of such Collections, and to
9 the officials thereof; and to furnish, as in his or her
10 discretion he or she deems necessary or desirable, a
11 reasonable number of each of the volumes of the Collections
12 without charge to the University of Illinois Library and to
13 instructors and officials of that University, and to public
14 libraries in the State of Illinois. The Agency State Historian
15 may, with the consent of the Board, also make exchanges of the
16 Historical Collections with any other library, school or
17 historical society, and distribute volumes of the Collections
18 for review purposes.

19 (Source: P.A. 100-120, eff. 8-18-17.)

20 (20 ILCS 3475/40)

21 Sec. 40. Illinois State Historian; appointment.

22 (a) The Governor, in consultation with ~~Executive Director,~~
23 ~~with the advice and consent of the Board and the Illinois~~
24 Historical Society, shall appoint the Illinois State
25 Historian, ~~who shall provide historical expertise, support,~~

1 ~~and service on civic engagement to educators and~~
2 ~~not-for-profit educational groups, including historical~~
3 ~~societies. The State Historian is the State's leading~~
4 ~~authority on the history of Illinois.~~

5 (b) The Illinois State Historian shall be appointed based
6 on the recommendation from the Abraham Lincoln Presidential
7 Library and Museum Board of Trustees who shall consult the
8 Illinois State Historical Society. The Board in consultation
9 with the Illinois State Historical Society shall develop
10 qualifications for the Illinois State Historian to be approved
11 by the Board no later than 120 days after the enactment of this
12 amendatory Act of the 102nd General Assembly.

13 (c) Qualifications for the Illinois State Historian must
14 include expertise in the history of at least one
15 underrepresented minority group in this State, including, but
16 not limited to: African-American history; Native American
17 history; Latinx history; Asian-American history; and LGBTQIA
18 history.

19 (d) An individual designated as the Illinois State
20 Historian retains the designation for 2 years from the date of
21 appointment and the term is renewable only by the Governor's
22 appointment for one additional consecutive 2-year term.

23 (Source: P.A. 100-120, eff. 8-18-17.)

24 (20 ILCS 3475/45)

25 Sec. 45. Historical records ~~State Historian; historical~~

1 ~~records~~. The Library Services Director in consultation with
2 historian staff at the Agency ~~State Historian~~ shall establish
3 and supervise a program within the Agency designed to preserve
4 as historical records selected past editions of newspapers of
5 this State. Such editions and other materials shall be
6 preserved in accordance with industry standards and shall be
7 stored in a place provided by the Agency. The negatives of
8 microphotographs and other materials shall be stored in a
9 place provided by the Agency.

10 The Library Services Director in consultation with
11 historian staff at the Agency ~~State Historian~~ shall determine
12 on the basis of historical value the various newspaper edition
13 files which shall be preserved and shall arrange a schedule
14 for such preservation. The Library Services Director ~~State~~
15 ~~Historian~~ shall supervise the making of arrangements for
16 acquiring access to past edition files and copyright
17 permissions with the editors or publishers of the various
18 newspapers.

19 The method of microphotography to be employed in this
20 program shall conform to the standards established pursuant to
21 Section 17 of the State Records Act.

22 Upon payment to the Agency of the required fee, any person
23 or organization shall be granted access to the preserved
24 editions of ~~supplied with any prints requested to be made from~~
25 the newspapers and all records. The fee schedule shall be
26 determined and approved by the Board annually ~~required shall~~

1 ~~be determined by the State Historian and shall be equal in~~
2 ~~amount to the costs incurred by the Agency in granting such~~
3 ~~access supplying the requested prints.~~

4 (Source: P.A. 100-120, eff. 8-18-17.)

5 (20 ILCS 5030/Act rep.)

6 Section 20. The Illinois Sesquicentennial of the American
7 Civil War Commission Act is repealed.

8 Section 25. The Local Historian Act is amended by changing
9 Section 2 as follows:

10 (50 ILCS 130/2) (from Ch. 85, par. 5702)

11 Sec. 2. Each local historian ~~in cooperation with the State~~
12 ~~Historian~~ shall collect and preserve material relating to the
13 history of the political subdivision for which he was
14 appointed and shall maintain such material in fireproof safes
15 or vaults or other fireproof areas within the offices of the
16 political subdivision. The local historian shall inquire into
17 the maintenance, classification and safety from fire of public
18 records and shall recommend to the governing body any actions
19 necessary for their better preservation and any materials of
20 historic value which the political subdivision should acquire.

21 The local historian may cooperate with any individual or
22 any public or private civic, patriotic or historic group or
23 association and participate in the organized efforts of such

1 individuals, groups and associations for the preparation and
2 publication of local histories, records and reports, the
3 collection and preservation of local historic artifacts, the
4 restoration and preservation of local historic edifices, the
5 erection of local historic monuments and markers and the
6 recording and documentation of current events of local
7 historic interest or significance.

8 Each local historian shall annually report to the
9 governing body upon his activities and recommendations.

10 An annual report shall also be sent to the Abraham Lincoln
11 Presidential Library and Museum ~~State Historian~~.

12 (Source: P.A. 84-736.)

13 Section 30. The Local Records Act is amended by changing
14 Section 6 as follows:

15 (50 ILCS 205/6) (from Ch. 116, par. 43.106)

16 Sec. 6. For those agencies comprising counties of
17 3,000,000 or more inhabitants or located in or coterminous
18 with any such county or a majority of whose inhabitants reside
19 in any such county, this Act shall be administered by a Local
20 Records Commission consisting of the president of the county
21 board of the county wherein the records are kept, the mayor of
22 the most populous city in such county, the State's attorney of
23 such county, the County comptroller, the State archivist, and
24 the Executive Director of the Abraham Lincoln Presidential

1 Library and Museum ~~State historian~~. The president of the
2 county board shall be the chairman of the Commission.

3 For all other agencies, this Act shall be administered by
4 a Local Records Commission consisting of a chairman of a
5 county board, who shall be chairman of the Commission, a mayor
6 or president of a city, village or incorporated town, a county
7 auditor, and a State's attorney, all of whom shall be
8 appointed by the Governor, the State archivist, and the
9 Executive Director of the Abraham Lincoln Presidential Library
10 and Museum ~~State historian~~.

11 A member of either Commission may designate a substitute.

12 Either Commission may employ such technical, professional
13 and clerical assistants as are necessary.

14 Either Commission shall meet upon call of its chairman.

15 (Source: P.A. 100-201, eff. 8-18-17.)".