

# SB3241



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3241

Introduced 2/6/2024, by Sen. Meg Loughran Cappel

### SYNOPSIS AS INTRODUCED:

20 ILCS 801/1-25  
20 ILCS 801/20-5  
20 ILCS 801/20-10  
20 ILCS 801/20-15

Amends the Department of Natural Resources Act. Makes changes concerning the powers and duties of the Illinois State Museum. Repeals a provision which specifies that the Board of the Illinois State Museum is the governing board for the State Museum. Replaces the Board of the Illinois State Museum with an advisory board. Describes the duties of the advisory board. Repeals a provision which states that the Department of Natural Resources may set, by administrative rule, an entrance fee for visitors to the Illinois State Museum. Effective immediately.

LRB103 39242 JAG 69394 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of Natural Resources Act is  
5 amended by changing Sections 1-25, 20-5, 20-10, and 20-15 as  
6 follows:

7 (20 ILCS 801/1-25)

8 Sec. 1-25. ~~Powers of the~~ Illinois State Museum.

9 (a) In addition to its other powers and duties, the  
10 Department shall have the following powers and duties which  
11 shall be performed by the State Museum:

12 (1) To investigate and study the natural resources and  
13 histories of the State and to prepare printed reports and  
14 furnish information fundamental to the conservation and  
15 development of natural resources, and and for that purpose  
16 and for the purpose of upholding federal requirements  
17 under the Native American Grave Protection and  
18 Repatriation Act, the officers and employees thereof may,  
19 pursuant to rule adopted by the Department, enter and  
20 cross all lands in this State, doing no damage to private  
21 property.

22 (2) To cooperate with and advise departments having  
23 administrative powers and duties relating to the natural

1 resources of the State, and to cooperate with similar  
2 departments in other states, with tribal nations, and with  
3 the United States Government.

4 (3) To cooperate with the Illinois State Academy of  
5 Science and to publish a suitable number of the results of  
6 the investigations and research in the field of natural  
7 science to the end that the same may be distributed to the  
8 interested public. This cooperation shall not grant any  
9 special rights, authority, or privileges to the Academy.

10 (4) To maintain a State Museum, and to collect and  
11 preserve objects of scientific, historic, and artistic  
12 value, representing past and present fauna and flora, the  
13 life and work of humankind ~~man~~, geological history,  
14 natural resources, and the manufacturing and fine arts; to  
15 welcome visitors of all ages to the State Museum; and to  
16 interpret for and educate the public concerning the  
17 foregoing. The State Museum shall work with Native  
18 Americans to create an interpretation of Native American  
19 histories and art directed by tribal partners.

20 (5) (Blank). ~~To cooperate with the Illinois State~~  
21 ~~Museum Society for the mutual benefit of the Museum and~~  
22 ~~the Society, with the Museum furnishing necessary space~~  
23 ~~for the Society to carry on its functions and keep its~~  
24 ~~records, and, upon the recommendation of the Museum~~  
25 ~~Director with the approval of the Board of State Museum~~  
26 ~~Advisors and the Director of the Department, to enter into~~

1 ~~agreements with the Illinois State Museum Society for the~~  
2 ~~operation of a sales counter and other concessions for the~~  
3 ~~mutual benefit of the Museum and the Society.~~

4 (6) To accept grants of property and to hold property  
5 to be administered as part of the State Museum for the  
6 purpose of preservation, research of interpretation of  
7 significant areas within the State for the purpose of  
8 preserving, studying, and interpreting history and  
9 archaeological and natural phenomena and for the purpose  
10 of upholding Native American Grave Protection and  
11 Repatriation Act requirements.

12 (7) To contribute to and support the operations,  
13 programs and capital development of public museums in this  
14 State. For the purposes of this Section, "public museum"  
15 means a facility: (A) that is operating for the purposes  
16 of promoting cultural development through special  
17 activities or programs or through performing arts that are  
18 performed in an indoor setting, and acquiring, conserving,  
19 preserving, studying, interpreting, enhancing, and in  
20 particular, organizing and continuously exhibiting  
21 specimens, artifacts, articles, documents and other things  
22 of historical, anthropological, archaeological,  
23 industrial, scientific or artistic import, to the public  
24 for its instruction and enjoyment, and (B) that either (i)  
25 is operated by or located upon land owned by a unit of  
26 local government or (ii) is a museum that has an annual

1 attendance of at least 150,000 and offers educational  
2 programs to school groups during school hours. A museum is  
3 eligible to receive funds for capital development under  
4 this subdivision (7) only if it is operated by or located  
5 upon land owned by a unit of local government or if it is  
6 certified by a unit of local government in which it is  
7 located as a public museum meeting the criteria of this  
8 Section. Recipients of funds for capital development under  
9 this subdivision (7) shall match State funds with local or  
10 private funding according to the following:

11 (a) for a public museum with an attendance of  
12 300,000 or less during the preceding calendar year, no  
13 match is required;

14 (b) for a public museum with an attendance of over  
15 300,000 but less than 600,000 during the preceding  
16 calendar year, the match must be at a ratio of \$1 from  
17 local and private funds for every \$1 in State funds;  
18 and

19 (c) for a public museum with an attendance of over  
20 600,000 during the preceding calendar year, the match  
21 must be at a ratio of \$2 from local and private funds  
22 for every \$1 in State funds.

23 The Department shall formulate rules and regulations  
24 relating to the allocation of any funds appropriated by  
25 the General Assembly for the purpose of contributing to  
26 the support of public museums in this State.

1           (8) To perform all other duties and assume all  
2 obligations of the former Department of Energy and Natural  
3 Resources and the former Department of Registration and  
4 Education pertaining to the State Museum.

5           (9) To work in collaboration with the Division of  
6 Historic Preservation of the Department in the exercise of  
7 all the rights, powers, and duties conferred upon the  
8 Department under the Historic Preservation Act.

9           (b) At the sole discretion of the Department, the State  
10 Museum may cooperate with the Illinois State Museum Society  
11 for the benefit of the State Museum. This cooperation shall  
12 not grant any special rights, authority, or privileges to the  
13 Society. Upon the recommendation of the State Museum Director  
14 with the approval of the Director of the Department, the State  
15 Museum may enter into agreements with the Society for the  
16 operation of a sales counter and other concessions for the  
17 benefit of the State Museum and the Society. The State Museum  
18 may enter into agreements with the Society for programs at or  
19 outside the State Museum. The Society shall be solely  
20 responsible for its own budget and the preparation of the  
21 budget, its staff, its equipment, its supplies, and its  
22 programs.

23 (Source: P.A. 102-1005, eff. 5-27-22.)

24 (20 ILCS 801/20-5)

25 Sec. 20-5. State Museum. The Department of Natural

1 Resources shall have within it the office of the Illinois  
2 State Museum. ~~The Board of the Illinois State Museum is~~  
3 ~~retained as the governing board for the State Museum.~~

4 (Source: P.A. 95-728, eff. 7-1-08 - See Sec. 999.)

5 (20 ILCS 801/20-10)

6 Sec. 20-10. Advisory Board of the Illinois State Museum.

7 (a) Within the Department there shall be an Advisory ~~a~~  
8 Board of the Illinois State Museum. The Advisory Board shall  
9 be ~~7~~ composed of 11 persons who shall be appointed by the  
10 Governor. Any members appointed before July 1, 2026 shall  
11 serve the full term for which they were appointed, unless  
12 removed by the Governor. Beginning on July 1, 2026, 9 members  
13 shall have at least 5 years of experience practicing or  
14 teaching in, ~~one of whom shall be a senior citizen age 60 or~~  
15 ~~ever. The Board shall be composed of 9 representatives of the~~  
16 natural sciences, anthropology, art, history, or ~~and~~ business  
17 and shall be from diverse backgrounds and geographic locations  
18 across the State and two members shall be representatives of  
19 community-based organizations, irrespective of background and  
20 experience. Beginning on July 1, 2026, the Board shall consist  
21 of 6 individuals from a historically marginalized identity,  
22 ~~qualified by at least 10 years of experience in practicing or~~  
23 ~~teaching their several professions; one senior citizen; and~~  
24 ~~the Director of Natural Resources or the Director's designee.~~  
25 All members appointed after January 1, 2025 shall serve for

1 ~~2-year~~ ~~Members of the Board shall be appointed by the Governor~~  
2 ~~with the advice and consent of the Senate and shall serve for~~  
3 ~~2-year~~ terms. The Governor shall be entitled to remove any  
4 member due to incompetency, dereliction of duty, or  
5 malfeasance.

6 The transfer of the Board to the Department under this Act  
7 does not terminate or otherwise affect the term of membership  
8 of any member of the Board, except that the former Director of  
9 Energy and Natural Resources is replaced by the Director of  
10 Natural Resources.

11 (b) The Advisory Board shall:

12 (1) advise the Director of the Department, or the  
13 Director's designee, in all matters pertaining to the  
14 maintenance, the extension and the mission usefulness of  
15 the Illinois State Museum, including, but not limited to,  
16 the needs for capital development projects, assistance  
17 with long-term planning for the State Museum, and other  
18 large-scale operational changes, except that these matters  
19 shall be determined and shall be defined solely by the  
20 State Museum;

21 (2) make recommendations concerning the appointment of  
22 a new State Museum ~~museum~~ director whenever a vacancy  
23 occurs in that position, except that the Department shall  
24 have the sole authority to determine the process used to  
25 identify and employ a new State Museum director,  
26 including, but not limited to, the authority to determine



1 how and when to involve or employ an individual or  
2 business to aid in conducting a search for interested and  
3 qualified candidates; to identify qualified candidates; to  
4 interview candidates; to make an offer of employment to  
5 the selected candidate; and to determine the compensation  
6 of the new State Museum Director; and

7 (3) (blank);

8 (4) review the budget of the Illinois State Museum and  
9 make recommendations to ~~with reference thereto to the~~  
10 ~~Governor through~~ the Director of the Department.

11 (c) (Blank).

12 (Source: P.A. 102-303, eff. 1-1-22; 102-1005, eff. 5-27-22.)

13 (20 ILCS 801/20-15)

14 Sec. 20-15. Moneys Collected by the Illinois State Museum  
15 ~~Entrance fee. All moneys paid to, collected by, or donated to~~  
16 the State Museum ~~The Department may set by administrative rule~~  
17 ~~an entrance fee for visitors to the Illinois State Museum. The~~  
18 ~~fee assessed by this Section~~ shall be deposited into the  
19 Illinois State Museum Fund for the Department to use to  
20 support the Illinois State Museum. The monies deposited into  
21 the Illinois State Museum Fund under this Section shall not be  
22 subject to administrative charges or chargebacks unless  
23 otherwise authorized by this Act.

24 (Source: P.A. 97-1136, eff. 1-1-13.)

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.