

1 AN ACT concerning environmental protection.

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

4 Section 1. Short title. This Act may be cited as the
5 Environmental Protection Foundation Act.

6 Section 5. Creation of foundation. The General Assembly
7 authorizes the Illinois Environmental Protection Agency, in
8 accordance with Section 10 of the State Agency Entity
9 Creation Act, to create the Environmental Protection
10 Foundation as a not-for-profit foundation. The Agency shall
11 file articles of incorporation as required under the General
12 Not for Profit Corporation Act of 1986 to create the
13 Foundation. The Foundation's Board of Directors shall be
14 appointed as follows: 2 by the President of the Senate; 2 by
15 the Minority Leader of the Senate; 2 by the Speaker of the
16 House of Representatives; 2 by the Minority Leader of the
17 House of Representatives; and 4 by the Governor. Vacancies
18 shall be filled by the official who made the appointment for
19 the vacated seat on the Board. The Director of the Agency
20 shall chair the Board of Directors of the Foundation. No
21 member of the Board of Directors may receive compensation for
22 his or her services to the Foundation.

23 Section 10. Foundation purposes. The purposes of the
24 Foundation are as follows: to promote, support, assist,
25 sustain, and encourage the charitable, educational,
26 scientific, and recreational programs, projects, and policies
27 of the Illinois Environmental Protection Agency; to solicit
28 and accept aid or contributions consistent with the stated
29 intent of the donor and the goals of the Foundation; to
30 accept grants for the acquisition, construction, improvement,

1 and development of potential Foundation projects; to solicit
2 and generate private funding and donations that assist in
3 enhancing and preserving Illinois' air, water and land
4 resources; and to engage generally in other lawful endeavors
5 consistent with the foregoing purposes. The Foundation shall
6 operate within the provisions of the General Not for Profit
7 Corporation Act of 1986.

8 Section 15. Organization, powers, and duties of the
9 Foundation. As soon as practical after the Foundation is
10 created, the Board of Directors shall meet, organize, and
11 designate, by majority vote, a treasurer, secretary, and any
12 additional officers that may be needed to carry out the
13 activities of the Foundation, and shall adopt the by-laws of
14 the Foundation. The Illinois Environmental Protection Agency
15 may adopt other rules deemed necessary to govern Foundation
16 procedures. The Foundation may accept gifts or grants from
17 the federal government, its agencies or officers, or from any
18 person, firm, or corporation, and may expend receipts on
19 activities that it considers suitable to the performance of
20 its duties under this Act and consistent with any requirement
21 of the grant, gift, or bequest. Funds collected by the
22 Foundation shall be considered private funds and shall be
23 held in an appropriate account outside of the State Treasury.
24 The treasurer of the Foundation shall be custodian of all
25 Foundation funds. The Foundation's accounts and books shall
26 be set up and maintained in a manner approved by the Auditor
27 General and the Foundation and its officers shall be
28 responsible for the approval of recording of receipts,
29 approval of payments, and the proper filing of required
30 reports. The Foundation may be assisted in carrying out its
31 functions by personnel of the Illinois Environmental
32 Protection Agency on matters falling within their scope and
33 function. The Foundation shall cooperate fully with the

1 boards, commissions, agencies, departments, and institutions
2 of the State. The funds held and made available by the
3 Illinois Environmental Protection Foundation shall be subject
4 to financial and compliance audits by the Auditor General in
5 compliance with the Illinois State Auditing Act. The
6 Foundation shall not have any power of eminent domain.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.