

1 AN ACT concerning propane.

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

4 Section 5. The Illinois Propane Education and Research Act
5 of 1997 is amended by changing Section 15 as follows:

6 (430 ILCS 27/15)

7 Sec. 15. Illinois Propane Education and Research Council.

8 (a) The qualified industry organizations shall select all
9 retail marketers, public, and producer members of the Council.
10 The producer organizations shall select the producer members of
11 the Council, the retail marketer organizations shall select
12 retail marketer members, and all qualified industry
13 organizations shall jointly select the public members.
14 Vacancies in the unfinished terms of Council members shall be
15 filled in the same manner as were the original appointments.

16 (b) In selecting members of the Council, the qualified
17 industry organizations shall give due regard to selecting a
18 Council that is representative of the industry, including
19 representation of:

20 (1) gas processors and oil refiners among producers;

21 (2) interstate and intrastate operators among retail
22 marketers;

23 (3) large and small companies among producers and
24 retail marketers, including agricultural cooperatives; and

25 (4) diverse geographic regions of the State.

26 (c) The Council shall consist of 12 members, with 6 ~~5~~
27 members representing retail marketers, 4 ~~5~~ members
28 representing producers, and 2 public members. Other than the
29 public members, Council members shall be full-time employees or
30 owners of businesses in the industry or representatives of
31 agricultural cooperatives. No employee of a qualified industry
32 organization shall serve as a member of the Council, and no

1 member of the Council may serve concurrently as an officer of
2 the board of directors of a qualified industry organization or
3 other trade association. Only one person at a time from any
4 company or its affiliate may serve on the Council. The Director
5 may serve as an ex-officio non-voting member of the Council.

6 (d) Council members shall receive no compensation for their
7 services, ~~nor shall Council members be reimbursed for expenses~~
8 ~~relating to their service, except that public members, upon~~
9 ~~request,~~ may be reimbursed for reasonable expenses directly
10 related to their participation in Council meetings.

11 (e) Council members shall serve terms of 3 years ~~and may~~
12 ~~not serve more than 2 full consecutive terms. Members filling~~
13 ~~unexpired terms may serve not more than a total of 7~~
14 ~~consecutive years. Former members of the Council may be~~
15 ~~returned to the Council if they have not been members for a~~
16 ~~period of 2 years. Initial appointments to the council shall be~~
17 ~~for terms of 1, 2, and 3 years staggered to provide for the~~
18 ~~selection of 4 members each year.~~ The Council shall notify the
19 Director of the name, address, and propane-related
20 affiliation, if any, of a Council member within 30 days after
21 the appointment of the member to the Council.

22 (f) The Council shall develop programs and projects and
23 enter into contracts or agreements for implementing this Act,
24 including programs to enhance consumer and employee safety and
25 training, to provide for research and development of clean and
26 efficient propane utilization equipment, to inform and educate
27 the public about safety and other issues associated with the
28 use of propane, and to provide for the payment of the costs
29 thereof with funds collected pursuant to this Act. The Council
30 shall coordinate its activities with industry trade
31 associations and others as appropriate to provide efficient
32 delivery of services and to avoid unnecessary duplication of
33 activities.

34 (g) Issues related to research and development, safety,
35 education, and training shall be given priority by the Council
36 in the development of its programs and projects.

1 (h) The Council shall select from among its members a
2 Chairperson and other officers as necessary, may establish
3 committees and subcommittees of the Council, and shall adopt
4 rules and bylaws for the conduct of business and the
5 implementation of this Act. The Council shall establish
6 procedures for the solicitation of industry comment and
7 recommendations on any significant plans, programs, and
8 projects to be funded by the Council. The Council may establish
9 advisory committees of persons other than Council members.

10 (i) At the beginning of each fiscal period, the Council
11 shall prepare a budget plan for the next fiscal period,
12 including the probable cost of all programs, projects, and
13 contracts and a recommended rate of assessment sufficient to
14 cover such costs. The Council shall submit the proposed budget
15 to the Director for review and comment. The Director may
16 recommend programs and activities considered appropriate.

17 (j) The Council shall keep minutes, books, and records that
18 clearly reflect all of the acts and transactions of the Council
19 and make public such information. The books of the Council
20 shall be audited by a certified public accountant at least once
21 each fiscal year and at such other times as the Council may
22 designate. The expense of the audit shall be the responsibility
23 of the Council. Copies of such audit shall be provided to all
24 members of the Council, all qualified industry organizations,
25 and to other members of the industry upon request.

26 (Source: P.A. 90-305, eff. 1-1-98.)