



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/04/04, by Robert W. Pritchard, Jim Sacia

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 105/5.625 new

Creates the David A. Wirsing Food Animal Institute Act. Establishes the David A. Wirsing Food Animal Institute to review and encourage research and to disseminate information about the food animal industry. Provides that the Institute is governed by a Board appointed by the Governor. Sets the powers of the Institute. Requires the Institute to annually report to the Governor, the Clerk of the House, and the Secretary of Senate. Amends the State Finance Act to create the Food Animal Institute Fund, a special fund within the State treasury to be appropriated for the Institute's activities. Effective immediately.

LRB093 18492 RAS 44208 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning food animals.

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 David
5 A. Wirsing Food Animal Institute Act.

6 Section 5. Definitions. As used in this Act:

7 "Board" means the governing board of the David A. Wirsing
8 Food Animal Institute.

9 "Institute" means the David A. Wirsing Food Animal
10 Institute.

11 "Food animal" includes, but is not limited to, beef cattle,
12 swine, sheep, dairy cattle, turkeys, chickens, and aquaculture
13 products.

14 "Allied agribusiness" means any related agribusiness, such
15 as the feed industry, financial institutions, the food animal
16 or food animal processing industry, farm equipment or implement
17 dealers or manufacturers, crop production, pharmaceuticals, or
18 nutraceuticals.

19 "Non-agribusiness" means conservation groups, dieticians,
20 food processors, consumers, and animal health and well-being
21 groups.

22 Section 10. Institute established; purpose. The David A.
23 Wirsing Food Animal Institute is established to review and
24 encourage research through peer review, to publish and
25 disseminate unbiased information about all aspects of the food
26 animal industry, anticipating issues with a vision for the
27 future of Illinois agriculture, and to maintain comprehensive
28 information systems for the improvement and enhancement of all
29 aspects of the food animal industry, all for the benefit of the
30 public, the General Assembly, the Governor's Office, and other
31 State and local government agencies. The Institute must fulfill

1 its purposes with unbiased integrity.

2 Section 15. Governing board. The Institute is governed by
3 a board of 15 voting members who are appointed by the Governor
4 and who must ensure unbiased information. Five of the
5 Governor's appointees must represent food animal production.
6 Five of the Governor's appointees must represent allied
7 agribusiness aspects of the food animal industry. Five of the
8 Governor's appointees must represent other, non-agribusiness
9 aspects of the food animal industry.

10 The board must also include, as non-voting members, the
11 dean or department chairperson or his or her designated
12 representative of the following institutions: the University
13 of Illinois College of ACES, the University of Illinois College
14 of Veterinary Medicine, the Southern Illinois University
15 College of Agriculture, the Western Illinois University
16 Agriculture Department, and the Illinois State University
17 Agriculture Department.

18 Section 20. Appointment; terms. Initial appointees to the
19 board serve the following terms as designated by the Governor:
20 5 for a term of one year; 5 for a term of 2 years; and 5 for a
21 term of 3 years. Subsequent appointees serve terms of 3 years.
22 A vacancy is filled by appointment for the remainder of the
23 unexpired term. Members may be reappointed to the board. If the
24 Governor fails to appoint a member or to fill a vacancy within
25 90 days after a member's term expires or a vacancy occurs, the
26 remaining board members must make the appointment by majority
27 vote. A member appointed to fill a vacancy shall serve for the
28 remainder of the unexpired term or until a successor is
29 qualified.

30 Section 25. Operation of the board.

31 (a) Upon appointment of the board's initial members, the
32 Director of Agriculture shall convene the first meeting of the
33 board for the purpose of selecting a chairperson and

1 considering other matters of business of the Institute. The
2 board annually thereafter, in January or the first meeting of
3 each year, must select a chairperson from among its number. A
4 chairperson may be re-elected but may not serve more than 3
5 consecutive years. The board meets at the call of the chair. A
6 quorum is necessary for action by the board; 8 voting members
7 of the board constitute a quorum, unless a vacancy exists among
8 the board's voting members. If a vacancy exists, then a quorum
9 of the board consists of a simple majority of the voting
10 members. Members of the board may receive no compensation but
11 must be reimbursed for expenses incurred in the actual
12 performance of their duties.

13 (b) The board:

14 (1) may have and use a common seal and alter the seal
15 at its discretion;

16 (2) may adopt all necessary resolutions, protocols,
17 and by-laws;

18 (3) may enter into agreements with State agencies;

19 (4) may enter into agreements with and accept funds
20 from federal agencies, trade associations, industry
21 organizations, universities and their sub-units,
22 foundations, and other not-for-profit and private
23 industries to carry out the purposes of the Institute;

24 (5) may establish reserve funds and accounts that may
25 be necessary or desirable to accomplish the purposes of the
26 Institute; and

27 (6) has and may exercise all powers and is subject to
28 all duties commonly incident to boards of directors.

29 Section 30. Expenses. The board has the authority to pay
30 administrative expenses including salary, wages, and fringe
31 benefits; operation and maintenance expenses, travel, supply,
32 and printing expenses, rental and rental related expenses, and
33 costs of capital purchases and improvements; contract and
34 contractual expenses; and other expenses deemed appropriate by
35 the board. The board is authorized to establish a fee structure

1 and charge fees for publications and duplicating expenses.
2 Revenue from those fees must be deposited into the Food Animal
3 Institute Fund. No charges or fees may be authorized or charged
4 to members of the General Assembly or the Governor's Office.

5 Section 35. Report. The Institute must report annually on
6 January 1 to the Governor, the Clerk of the House of
7 Representatives, and the Secretary of the Senate upon the
8 Institute's activities in the preceding 12 months. The report
9 is a public record open for inspection at the office of the
10 Institute and, among other matters, must include an assessment
11 of the current state of the food animal industry in Illinois
12 and recommendations for new initiatives and efforts to further
13 enhance and best position the food animal industry in Illinois.

14 Section 40. Food Animal Institute Fund. The Food Animal
15 Institute Fund is created as a special fund in the State
16 treasury. Grants, fees, and other moneys obtained by the David
17 A. Wirsing Food Animal Institute from governmental entities,
18 private sources, foundations, trade associations, industry
19 organizations, and not-for-profit organizations for use in
20 furthering the purposes of the Institute may be deposited into
21 the Fund. Moneys in the Fund may be used by the Institute for
22 undertaking projects, programs, and other activities and for
23 the operating and other expenses of the Institute as it
24 fulfills its duties and responsibilities.

25 Section 45. Use of funds. The Institute shall: (i) collect
26 and disseminate research data, results, or conclusions and
27 disseminate it to the public, the General Assembly, State
28 agencies, and others who request it; (ii) provide unbiased
29 analysis of research findings, including economic impacts on
30 the State and the food animal industry; (iii) provide, if
31 needed, for peer review of research and research proposals for
32 scientific merit, objectives, methods, and procedures; (iv)
33 coordinate its activities with public research and education

1 programs; and (v) initiate other activities that are reasonable
2 and necessary to fulfill the responsibilities of the Institute
3 under this Act.

4 Section 95. The State Finance Act is amended by adding
5 Section 5.625 as follows:

6 (30 ILCS 105/5.625 new)

7 Sec. 5.625. The Food Animal Institute Fund.

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