



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 02/09/04, by Steve Davis

SYNOPSIS AS INTRODUCED:

20 ILCS 5/5-525
520 ILCS 5/2.26a new

was 20 ILCS 5/6.01

Amends the Civil Administrative Code. Provides that the Advisory Board of Livestock Commissioners shall consist of 26 persons (now 25) and that one representative of deer breeders and one representative of elk breeders (instead of one of deer or elk breeders) shall be members. Amends the Wildlife Code. Provides that notwithstanding any other provision of the Code, the Department of Agriculture shall have complete and sole authority over captive farm raised cervids. Creates the Farm Raised Cervids Fund. Provides that the Department shall seek the advice of at least one member of a State association representing deer breeders when developing the rules concerning farm raised cervids. Effective immediately.

LRB093 16453 RAS 42093 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning animals.

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

4 Section 5. The Civil Administrative Code of Illinois is
5 amended by changing Section 5-525 as follows:

6 (20 ILCS 5/5-525) (was 20 ILCS 5/6.01)

7 Sec. 5-525. In the Department of Agriculture.

8 (a) (Blank).

9 (b) An Advisory Board of Livestock Commissioners to consist
10 of 26 ~~25~~ persons. The Board shall consist of the administrator
11 of animal disease programs, the Dean of the College of
12 Agriculture of the University of Illinois, the Dean of the
13 College of Veterinary Medicine of the University of Illinois,
14 and commencing on January 1, 1990 the Deans or Chairmen of the
15 Colleges or Departments of Agriculture of Illinois State
16 University, Southern Illinois University, and Western Illinois
17 University in that order who shall each serve for 1 year terms,
18 provided that commencing on January 1, 1993 such terms shall be
19 for 2 years in the same order, the Director of Public Health,
20 the Director of Natural Resources, the chairman of the
21 Agriculture, Conservation and Energy Committee of the Senate,
22 and the chairman of the Committee on Agriculture of the House
23 of Representatives, who shall ex-officio be members of the
24 Board, and 17 additional persons interested in the prevention,
25 elimination and control of diseases of domestic animals and
26 poultry who shall be appointed by the Governor to serve at the
27 Governor's pleasure. An appointed member's office becomes
28 vacant upon the member's absence from 3 consecutive meetings.
29 Of the 17 additional persons, one shall be a representative of
30 breeders of beef cattle, one shall be a representative of
31 breeders of dairy cattle, one shall be a representative of
32 breeders of dual purpose cattle, one shall be a representative

1 of breeders of swine, one shall be a representative of poultry
2 breeders, one shall be a representative of sheep breeders, one
3 shall be a veterinarian licensed in this State, one shall be a
4 representative of general or diversified farming, one shall be
5 a representative of deer breeders, one shall be a
6 representative of ~~or~~ elk breeders, one shall be a
7 representative of livestock auction markets, one shall be a
8 representative of cattle feeders, one shall be a representative
9 of pork producers, one shall be a representative of the State
10 licensed meat packers, one shall be a representative of canine
11 breeders, one shall be a representative of equine breeders, one
12 shall be a representative of the Illinois licensed renderers,
13 and one shall be a representative of livestock dealers. The
14 members shall receive no compensation but shall be reimbursed
15 for expenses necessarily incurred in the performance of their
16 duties. In the appointment of the Advisory Board of Livestock
17 Commissioners, the Governor shall consult with representative
18 persons and recognized organizations in the respective fields
19 concerning the appointments.

20 Rules and regulations of the Department of Agriculture
21 pertaining to the prevention, elimination, and control of
22 diseases of domestic animals and poultry shall be submitted to
23 the Advisory Board of Livestock Commissioners for approval at
24 its duly called meeting. The chairman of the Board shall
25 certify the official minutes of the Board's action and shall
26 file the certified minutes with the Department of Agriculture
27 within 30 days after the proposed rules and regulations are
28 submitted and before they are promulgated and made effective.
29 If the Board fails to take action within 30 days this
30 limitation shall not apply and the rules and regulations may be
31 promulgated and made effective. In the event it is deemed
32 desirable, the Board may hold hearings upon the rules and
33 regulations or proposed revisions. The Board members shall be
34 familiar with the Acts relating to the prevention, elimination,
35 and control of diseases among domestic animals and poultry. The
36 Department shall, upon the request of a Board member, advise

1 the Board concerning the administration of the respective Acts.

2 The Director of Agriculture or his representative from the
3 Department shall act as chairman of the Board. The Director
4 shall call meetings of the Board from time to time or when
5 requested by 3 or more appointed members of the Board. A quorum
6 of appointed members must be present to convene an official
7 meeting. The chairman and ex-officio members shall not be
8 included in a quorum call. Ex-officio members may be
9 represented by a duly authorized representative from their
10 department, division, college, or committee. Appointed members
11 shall not be represented at a meeting by another person.
12 Ex-officio members and appointed members shall have the right
13 to vote on all proposed rules and regulations; voting that in
14 effect would pertain to approving rules and regulations shall
15 be taken by an oral roll call. No member shall vote by proxy.
16 The chairman shall not vote except in the case of a tie vote.
17 Any ex-officio or appointed member may ask for and shall
18 receive an oral roll call on any motion before the Board. The
19 Department shall provide a clerk to take minutes of the
20 meetings and record transactions of the Board. The Board, by
21 oral roll call, may require an official court reporter to
22 record the minutes of the meetings.

23 (Source: P.A. 91-239, eff. 1-1-00; 91-457, eff. 1-1-00; 91-798,
24 eff. 7-9-00.)

25 Section 10. The Wildlife Code is amended by adding Section
26 2.26a as follows:

27 (520 ILCS 5/2.26a new)

28 Sec. 2.26a. Farm raised cervids. Notwithstanding any other
29 provision of this Code, the Illinois Department of Agriculture
30 has complete and sole authority over captive farm raised
31 cervids, which are considered alternative livestock. Permits
32 to own and harvest farm raised cervids shall be obtained only
33 through the Department of Agriculture. The fees for the permits
34 shall be established by administrative rules. All fees

1 collected under this Section shall be deposited into the Farm
2 Raised Cervids Fund. Subject to appropriation, moneys in the
3 Fund shall be used by the Department of Agriculture for the
4 sole purpose of administering this Section. The Department of
5 Agriculture shall seek the advice of at least one member of a
6 State association representing deer breeders in the
7 development of rules under this Section.

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