

HB7307



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB7307

Introduced 6/29/2004, by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

20 ILCS 3960/4

from Ch. 111 1/2, par. 1154

Amends the Illinois Health Facilities Planning Act. Provides for the termination of the terms of office of the current members of the Health Facilities Planning Board and the appointment of new members by the Governor. Effective immediately.

LRB093 22682 AMC 52334 b

A BILL FOR

1 AN ACT concerning executive agencies.

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

4 Section 5. The Illinois Health Facilities Planning Act is
5 amended by changing Section 4 as follows:

6 (20 ILCS 3960/4) (from Ch. 111 1/2, par. 1154)

7 (Section scheduled to be repealed on July 1, 2008)

8 Sec. 4. Health Facilities Planning Board; membership;
9 appointment; term; compensation; quorum. There is created the
10 Health Facilities Planning Board, which shall perform the
11 functions described in this Act.

12 ~~Notwithstanding any provision of this Section to the~~
13 ~~contrary, the term of office of each member of the State Board~~
14 ~~is abolished on the effective date of this amendatory Act of~~
15 ~~the 93rd General Assembly, but all incumbent members shall~~
16 ~~continue to exercise all of the powers and be subject to all of~~
17 ~~the duties of members of the State Board until all new members~~
18 ~~of the 9-member State Board authorized under this amendatory~~
19 ~~Act of the 93rd General Assembly are appointed and take office.~~
20 ~~Beginning on the effective date of this amendatory Act of the~~
21 ~~93rd General Assembly,~~ The State Board shall consist of 9
22 voting members.

23 Notwithstanding any provision of this Section to the
24 contrary, the term of office of each member of the State Board
25 is abolished on the effective date of this amendatory Act of
26 the 93rd General Assembly, but all incumbent members shall
27 continue to exercise all of the powers and be subject to all of
28 the duties of members of the State Board until all new members
29 of the 9-member State Board authorized under this amendatory
30 Act of the 93rd General Assembly are appointed and take office.

31 The State Board shall be appointed by the Governor, with
32 the advice and consent of the Senate. Not more than 5 of the

1 appointments shall be of the same political party. No person
2 shall be appointed as a State Board member if that person has
3 served, after the effective date of Public Act 93-41 ~~this~~
4 ~~amendatory Act of the 93rd General Assembly~~, 2 3-year terms as
5 a State Board member, except for ex officio non-voting members.

6 The Secretary of Human Services, the Director of Public
7 Aid, and the Director of Public Health, or their designated
8 representatives, shall serve as ex-officio, non-voting members
9 of the State Board.

10 Of those members initially appointed by the Governor under
11 this amendatory Act of the 93rd General Assembly, 3 shall serve
12 for terms expiring July 1, 2005, 3 shall serve for terms
13 expiring July 1, 2006, and 3 shall serve for terms expiring
14 July 1, 2007. ~~Of those members initially appointed by the~~
15 ~~Governor under this amendatory Act of the 93rd General~~
16 ~~Assembly, 3 shall serve for terms expiring July 1, 2004, 3~~
17 ~~shall serve for terms expiring July 1, 2005, and 3 shall serve~~
18 ~~for terms expiring July 1, 2006.~~ Thereafter, each appointed
19 member shall hold office for a term of 3 years, provided that
20 any member appointed to fill a vacancy occurring prior to the
21 expiration of the term for which his predecessor was appointed
22 shall be appointed for the remainder of such term and the term
23 of office of each successor shall commence on July 1 of the
24 year in which his predecessor's term expires. Each member shall
25 hold office until his successor is appointed and qualified.

26 State Board members, while serving on business of the State
27 Board, shall receive actual and necessary travel and
28 subsistence expenses while so serving away from their places of
29 residence. A member of the State Board who experiences a
30 significant financial hardship due to the loss of income on
31 days of attendance at meetings or while otherwise engaged in
32 the business of the State Board may be paid a hardship
33 allowance, as determined by and subject to the approval of the
34 Governor's Travel Control Board.

35 The Governor shall designate one of the members to serve as
36 Chairman and shall name as full-time Executive Secretary of the

1 State Board, a person qualified in health care facility
2 planning and in administration. The Agency shall provide
3 administrative and staff support for the State Board. The State
4 Board shall advise the Director of its budgetary and staff
5 needs and consult with the Director on annual budget
6 preparation.

7 The State Board shall meet at least once each quarter, or
8 as often as the Chairman of the State Board deems necessary, or
9 upon the request of a majority of the members.

10 Five members of the State Board shall constitute a quorum.
11 The affirmative vote of 5 of the members of the State Board
12 shall be necessary for any action requiring a vote to be taken
13 by the State Board. A vacancy in the membership of the State
14 Board shall not impair the right of a quorum to exercise all
15 the rights and perform all the duties of the State Board as
16 provided by this Act.

17 A State Board member shall disqualify himself or herself
18 from the consideration of any application for a permit or
19 exemption in which the State Board member or the State Board
20 member's spouse, parent, or child: (i) has an economic interest
21 in the matter; or (ii) is employed by, serves as a consultant
22 for, or is a member of the governing board of the applicant or
23 a party opposing the application.

24 (Source: P.A. 93-41, eff. 6-27-03.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.