



Adopted in House Comm. on Jul 01, 2004

09300HB7307ham001

LRB093 22682 AMC 52347 a

1 AMENDMENT TO HOUSE BILL 7307

2 AMENDMENT NO. _____. Amend House Bill 7307 by replacing
3 everything after the enacting clause with the following:

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7 (Section scheduled to be repealed on July 1, 2008)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 The State Board shall consist of 5 voting members.
13 Notwithstanding any provision of this Section to the contrary,
14 the term of office of each member of the State Board is
15 abolished on the effective date of this amendatory Act of the
16 93rd General Assembly, but all incumbent members shall continue
17 to exercise all of the powers and be subject to all of the
18 duties of members of the State Board until all their respective
19 successors are appointed and take office.

20 ~~Notwithstanding any provision of this Section to the~~
21 ~~contrary, the term of office of each member of the State Board~~
22 ~~is abolished on the effective date of this amendatory Act of~~
23 ~~the 93rd General Assembly, but all incumbent members shall~~
24 ~~continue to exercise all of the powers and be subject to all of~~

1 ~~the duties of members of the State Board until all new members~~
2 ~~of the 9 member State Board authorized under this amendatory~~
3 ~~Act of the 93rd General Assembly are appointed and take office.~~
4 ~~Beginning on the effective date of this amendatory Act of the~~
5 ~~93rd General Assembly, the State Board shall consist of 9~~
6 ~~voting members.~~

7 The State Board shall be appointed by the Governor, with
8 the advice and consent of the Senate. Not more than 3 ~~5~~ of the
9 appointments shall be of the same political party at the time
10 of the appointment. No person shall be appointed as a State
11 Board member if that person has served, after the effective
12 date of Public Act 93-41 ~~this amendatory Act of the 93rd~~
13 ~~General Assembly~~, 2 3-year terms as a State Board member,
14 except for ex officio non-voting members.

15 The Secretary of Human Services, the Director of Public
16 Aid, and the Director of Public Health, or their designated
17 representatives, shall serve as ex-officio, non-voting members
18 of the State Board.

19 Of those members initially appointed by the Governor under
20 this amendatory Act of the 93rd General Assembly, 2 shall serve
21 for terms expiring July 1, 2005, 2 shall serve for terms
22 expiring July 1, 2006, and one shall serve for a term expiring
23 July 1, 2007. ~~Of those members initially appointed by the~~
24 ~~Governor under this amendatory Act of the 93rd General~~
25 ~~Assembly, 3 shall serve for terms expiring July 1, 2004, 3~~
26 ~~shall serve for terms expiring July 1, 2005, and 3 shall serve~~
27 ~~for terms expiring July 1, 2006.~~ Thereafter, each appointed
28 member shall hold office for a term of 3 years, provided that
29 any member appointed to fill a vacancy occurring prior to the
30 expiration of the term for which his predecessor was appointed
31 shall be appointed for the remainder of such term and the term
32 of office of each successor shall commence on July 1 of the
33 year in which his predecessor's term expires. Each member shall
34 hold office until his successor is appointed and qualified.

1 State Board members, while serving on business of the State
2 Board, shall receive actual and necessary travel and
3 subsistence expenses while so serving away from their places of
4 residence. A member of the State Board who experiences a
5 significant financial hardship due to the loss of income on
6 days of attendance at meetings or while otherwise engaged in
7 the business of the State Board may be paid a hardship
8 allowance, as determined by and subject to the approval of the
9 Governor's Travel Control Board.

10 The Governor shall designate one of the members to serve as
11 Chairman and shall name as full-time Executive Secretary of the
12 State Board, a person qualified in health care facility
13 planning and in administration. The Agency shall provide
14 administrative and staff support for the State Board. The State
15 Board shall advise the Director of its budgetary and staff
16 needs and consult with the Director on annual budget
17 preparation.

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

21 If there is no vacancy on the Board, 4 members of the Board
22 shall constitute a quorum to transact business; otherwise, a
23 majority of the Board shall constitute a quorum to transact
24 business. ~~Five members of the State Board shall constitute a~~
25 ~~quorum.~~ The affirmative vote of 3 ~~5~~ of the members of the State
26 Board shall be necessary for any action requiring a vote to be
27 taken by the State Board. A vacancy in the membership of the
28 State Board shall not impair the right of a quorum to exercise
29 all the rights and perform all the duties of the State Board as
30 provided by this Act.

31 A State Board member shall disqualify himself or herself
32 from the consideration of any application for a permit or
33 exemption in which the State Board member or the State Board
34 member's spouse, parent, or child: (i) has an economic interest

1 in the matter; or (ii) is employed by, serves as a consultant
2 for, or is a member of the governing board of the applicant or
3 a party opposing the application.

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

5 Section 99. Effective date. This Act takes effect upon
6 becoming law."