

1 AMENDMENT TO SENATE BILL 1559

2 AMENDMENT NO. _____. Amend Senate Bill 1559 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Rural Diversification Act is amended by
5 changing Sections 2, 3, 4, and 5 as follows:

6 (20 ILCS 690/2) (from Ch. 5, par. 2252)

7 Sec. 2. Findings and declaration of policy. The General
8 Assembly hereby finds, determines and declares:

9 (a) That Illinois is a state of diversified economic
10 strength and that an important economic strength in Illinois
11 is derived from rural business production and the
12 agribusiness industry;

13 (b) That the Illinois rural economy is in a state of
14 transition, which presents a unique opportunity for the State
15 to act on its growth and development;

16 (c) That full and continued growth and development of
17 Illinois' rural economy, especially in the small towns and
18 farm communities, is vital for Illinois;

19 (d) That by encouraging the development of diversified
20 rural business and agricultural production, nonproduction and
21 processing activities in Illinois, the State creates a
22 beneficial climate for new and improved job opportunities for

1 its citizens and expands jobs and job training opportunities;

2 (e) That in order to cultivate strong rural economic
3 growth and development in Illinois, it is necessary to
4 proceed with a plan which encourages Illinois rural
5 businesses and agribusinesses to expand business employment
6 opportunities through diversification of business and
7 industries, offers managerial, technical and financial
8 assistance to or on behalf of rural businesses and
9 agribusiness, and works in a cooperative venture and spirit
10 with Illinois' business, labor, local government, educational
11 and scientific communities;

12 (f) That dedication of State resources over a multi-year
13 period targeted to promoting the growth and development of
14 one or more classes of diversified rural products,
15 particularly new agricultural products, is an effective use
16 of State funds;

17 (g) That the United States Congress, having identified
18 similar needs and purposes has enacted legislation creating
19 the United States Department of Agriculture/Farmers Home
20 Administration Non-profit National Finance Corporations Loan
21 and Grant Program and made funding available to the states
22 consistent with the purposes of this Act.

23 (h) That the Illinois General Assembly has enacted
24 "Rural Revival" and a series of "Harvest the Heartland"
25 initiatives which create within the Illinois Farm Development
26 Finance Authority a "Seed Capital Fund" to provide venture
27 capital for emerging new agribusinesses, and to help
28 coordinate cooperative research and development on new
29 agriculture technologies in conjunction with the Agricultural
30 Research and Development Consortium in Peoria, the United
31 State Department of Agriculture Northern Regional Research
32 Laboratory in Peoria, the institutions of higher learning in
33 Illinois, and the agribusiness community of this State,
34 identify the need for enhanced efforts by the State to

1 promote the use of fuels utilizing ethanol made from Illinois
2 grain, and promote forestry development in this State; and

3 (i) That there is a need to coordinate the many programs
4 offered by the State of Illinois Departments of Agriculture,
5 Commerce and Community Affairs, and Natural Resources, and
6 the Illinois Farm Development Finance Authority that are
7 targeted to agriculture and the rural community with those
8 offered by the federal government. Therefore it is desirable
9 that the fullest measure of coordination and integration of
10 the programs offered by the various state agencies and the
11 federal government be achieved.

12 (Source: P.A. 93-205, eff. 1-1-04.)

13 (20 ILCS 690/3) (from Ch. 5, par. 2253)

14 Sec. 3. Definitions. The following words and phrases
15 shall have the meaning ascribed to each of them in this
16 Section unless the context clearly indicates otherwise:

17 (a) "Office" means the Office of Rural Community
18 Development within the Illinois Department of Commerce and
19 Community Affairs.

20 (b) "Rural business" means a business, including a
21 cooperative, proprietorship, partnership, corporation or
22 other entity, that is located in a municipality of 20,000
23 population or less, or in an unincorporated area of a county
24 with a population of less than 350,000, but not in a
25 municipality which is contiguous to a municipality or
26 municipalities with a population greater than 20,000. The
27 business must also be engaged in manufacturing, mining,
28 agriculture, wholesale, transportation, tourism, or utilities
29 or in research and development or services to these basic
30 industrial sectors.

31 (c) "Agribusiness", for purpose of this Act, means a
32 rural business that is defined as an agribusiness pursuant to
33 subsection (i) of Section 2 of the Illinois Farm Development

1 Finance Authority Act.

2 (d) "Rural diversification project" means financing to a
3 rural business for a specific activity undertaken to promote:
4 (i) the improvement and expansion of business and industry in
5 rural areas; (ii) creation of entrepreneurial and
6 self-employment businesses; (iii) industry or region wide
7 research directed to profit oriented uses of rural resources,
8 and (iv) value added agricultural supply, production
9 processing or reprocessing facilities or operations and shall
10 include but not be limited to agricultural diversification
11 projects.

12 (e) "Financing" means direct loans at market or below
13 market rate interest, grants, technical assistance contracts,
14 or other means whereby monetary assistance is provided to or
15 on behalf of rural business or agribusinesses for purposes of
16 rural diversification.

17 (f) "Agricultural diversification project" means
18 financing awarded to a rural business for a specific activity
19 undertaken to promote diversification of the farm economy of
20 this State through (i) profit oriented nonproduction uses of
21 Illinois land resources, (ii) growth and development of new
22 crops or livestock not customarily grown or produced in this
23 State, or (iii) developments which emphasize a vertical
24 integration of grain or livestock produced or raised in this
25 State into a finished product for consumption or use. "New
26 crops or livestock not customarily grown or produced in this
27 State" does not include corn, soybeans, wheat, swine, or beef
28 or dairy cattle. "Vertical integration of grain or livestock
29 produced or raised in this State" includes any new or
30 existing grain or livestock grown or produced in this State.

31 (Source: P.A. 93-205, eff. 1-1-04.)

32 (20 ILCS 690/4) (from Ch. 5, par. 2254)

33 Sec. 4. Powers of the Office. The Office has the

1 following powers, in addition to those granted to it by other
2 law:

3 (a) To provide financing pursuant to the provisions of
4 this Act, from appropriations made by the General Assembly
5 from the General Revenue Fund, Federal trust funds, and the
6 Rural Diversification Revolving Fund created herein, to or on
7 behalf of rural business and agribusiness to promote rural
8 diversification.

9 (b) To provide financing in the form of direct loans and
10 grants from State funds for qualifying agricultural and rural
11 diversification projects independent of federal financial
12 participation, except that no grants from State funds shall
13 be made directly with a rural business.

14 (c) To provide financing in the form of direct loans,
15 grants, and technical assistance contracts from State funds
16 for qualifying agricultural and rural diversification
17 projects in coordination with federal financial participation
18 in the form of loan guarantees, direct loans, and grant and
19 technical assistance contract reimbursements.

20 (d) To consider in the award of State funded financing
21 the satisfaction of matching requirements associated with
22 federal financing participation and the maximization of
23 federal financing participation to the benefit of the rural
24 Illinois economy.

25 (e) To enter into agreements or contracts, accept funds
26 or grants, and cooperate with agencies of the Federal
27 Government, State or Local Governments, the private sector or
28 non-profit organizations to carry out the purposes of this
29 Act;

30 (f) To enter into agreements or contracts for the
31 promotion, application origination, analysis or servicing of
32 the financings made by the Office pursuant to this Act;

33 (g) To receive and accept, from any source, aid or
34 contributions of money, property or labor for the furtherance

1 of this Act and collect fees, charges or advances as the
2 Department may determine in connection with its financing;

3 (h) To establish application, notification, contract and
4 other procedures and other procedures and rules deemed
5 necessary and appropriate by the Office to carry out the
6 provisions of this Act;

7 (i) To foreclose any mortgage, deed of trust, note,
8 debenture, bond or other security interest held by the Office
9 and to take all such actions as may be necessary to enforce
10 any obligation held by the Office;

11 (j) To analyze opportunities and needs of rural
12 communities, primarily those communities experiencing farm
13 worker distress including consultation with regional
14 commissions, governments, or diversification organizations,
15 and work to strengthen the coordination of existing programs
16 offered through the Office, the Department of Agriculture,
17 the Department of Natural Resources, the Illinois Farm
18 Development Finance Authority, the Cooperative Extension
19 Service and others for rural and agribusiness development and
20 assistance; and

21 (k) To cooperate with an existing committee comprised of
22 representatives from the Office, the Rural Affairs Council or
23 its successor, the Department of Agriculture, the Illinois
24 Farm Development Finance Authority and others to coordinate
25 departmental policies with other State agencies and to
26 promote agricultural and rural diversification in the State.

27 (l) To exercise such other right, powers and duties as
28 are necessary to fulfill the purposes of this Act.

29 (Source: P.A. 93-205, eff. 1-1-04.)

30 (20 ILCS 690/5) (from Ch. 5, par. 2255)

31 Sec. 5. Agricultural and rural diversification
32 financing.

33 (a) The Office's financing to or on behalf of rural

1 businesses or agribusinesses in the State shall be for the
2 purpose of assisting in the cost of agricultural and rural
3 diversification projects including (i) acquisition,
4 construction, reconstruction, replacement, repair,
5 rehabilitation, alteration, expansion or extension of real
6 property, buildings or machinery and equipment but not the
7 acquisition of unimproved land for the production of crops or
8 livestock; (ii) working capital items including but not
9 limited to, inventory, accounts receivable and prepaid
10 expenses; (iii) organizational expenses including, but not
11 limited to, architectural and engineering costs, legal
12 services, marketing analyses, production analyses, or other
13 professional services; (iv) needed leasehold improvements,
14 easements, and other amenities required to prepare a site;
15 (v) information, technical support and technical assistance
16 contracts to local officials or not-for-profit agencies
17 regarding private, state and federal resources, programs or
18 grant assistances and the needs and opportunities for
19 diversification; and (vi) when conducted in cooperation with
20 federal reimbursement programs, financing costs including
21 guarantee fees, packaging fees and origination fees but not
22 debt refinancing.

23 (b) Agricultural or rural diversification financing to a
24 rural business or agribusiness under this Act shall be used
25 only where it can be shown that the agricultural or rural
26 diversification project for which financing is being sought
27 has the potential to achieve commercial success and will
28 increase employment, directly or indirectly retain jobs, or
29 promote local diversification.

30 (c) The Office shall establish an internal review
31 committee with the Director of the Rural Affairs Council, or
32 his designee, the Director of the Department of Agriculture,
33 or his designee, and the Director of the Illinois Farm
34 Development Finance Authority, or his designee, as members to

1 assist in the review of all project applications.

2 (d) The Office shall not provide financing to a rural
3 business or agribusiness unless the application includes
4 convincing evidence that a specific agricultural or rural
5 diversification project is ready to occur and will only occur
6 if the financing is made. The Office shall also consider the
7 applicability of other state and federal programs prior to
8 financing any project.

9 (Source: P.A. 93-205, eff. 1-1-04.)

10 Section 10. The Illinois Finance Authority Act is
11 amended by changing Sections 801-5, 801-10, 845-75, 845-80,
12 845-85, and 890-90 as follows:

13 (20 ILCS 3501/801-5)

14 Sec. 801-5. Findings and declaration of policy. The
15 General Assembly hereby finds, determines and declares:

16 (a) that there are a number of existing State
17 authorities authorized to issue bonds to alleviate the
18 conditions and promote the objectives set forth below; and to
19 provide a stronger, better coordinated development effort, it
20 is determined to be in the interest of promoting the health,
21 safety, morals and general welfare of all the people of the
22 State to consolidate certain of such existing authorities
23 into one finance authority;

24 (b) that involuntary unemployment affects the health,
25 safety, morals and general welfare of the people of the State
26 of Illinois;

27 (c) that the economic burdens resulting from involuntary
28 unemployment fall in part upon the State in the form of
29 public assistance and reduced tax revenues, and in the event
30 the unemployed worker and his family migrate elsewhere to
31 find work, may also fall upon the municipalities and other
32 taxing districts within the areas of unemployment in the form

1 of reduced tax revenues, thereby endangering their financial
2 ability to support necessary governmental services for their
3 remaining inhabitants;

4 (d) that a vigorous growing economy is the basic source
5 of job opportunities;

6 (e) that protection against involuntary unemployment,
7 its economic burdens and the spread of economic stagnation
8 can best be provided by promoting, attracting, stimulating
9 and revitalizing industry, manufacturing and commerce in the
10 State;

11 (f) that the State has a responsibility to help create a
12 favorable climate for new and improved job opportunities for
13 its citizens by encouraging the development of commercial
14 businesses and industrial and manufacturing plants within the
15 State;

16 (g) that increased availability of funds for
17 construction of new facilities and the expansion and
18 improvement of existing facilities for industrial, commercial
19 and manufacturing facilities will provide for new and
20 continued employment in the construction industry and
21 alleviate the burden of unemployment;

22 (h) that in the absence of direct governmental subsidies
23 the unaided operations of private enterprise do not provide
24 sufficient resources for residential construction,
25 rehabilitation, rental or purchase, and that support from
26 housing related commercial facilities is one means of
27 stimulating residential construction, rehabilitation, rental
28 and purchase;

29 (i) that it is in the public interest and the policy of
30 this State to foster and promote by all reasonable means the
31 provision of adequate capital markets and facilities for
32 borrowing money by units of local government, and for the
33 financing of their respective public improvements and other
34 governmental purposes within the State from proceeds of bonds

1 or notes issued by those governmental units; and to assist
2 local governmental units in fulfilling their needs for those
3 purposes by use of creation of indebtedness;

4 (j) that it is in the public interest and the policy of
5 this State to the extent possible, to reduce the costs of
6 indebtedness to taxpayers and residents of this State and to
7 encourage continued investor interest in the purchase of
8 bonds or notes of governmental units as sound and preferred
9 securities for investment; and to encourage governmental
10 units to continue their independent undertakings of public
11 improvements and other governmental purposes and the
12 financing thereof, and to assist them in those activities by
13 making funds available at reduced interest costs for orderly
14 financing of those purposes, especially during periods of
15 restricted credit or money supply, and particularly for those
16 governmental units not otherwise able to borrow for those
17 purposes;

18 (k) (blank); ~~that in this State the following conditions~~
19 ~~exist:--(i)--an--inadequate supply of funds at interest rates~~
20 ~~sufficiently low to enable persons engaged in agriculture--in~~
21 ~~this--State--to--pursue--agricultural--operations--at present~~
22 ~~levels;--(ii)--that--such--inability--to--pursue--agricultural~~
23 ~~operations--lessens--the--supply--of agricultural commodities~~
24 ~~available to fulfill the needs of the citizens of this State;~~
25 ~~(iii)--that such inability to--continue--operations--decreases~~
26 ~~available--employment in the agricultural sector of the State~~
27 ~~and results in unemployment and its attendant problems;--(iv)~~
28 ~~that--such--conditions prevent the acquisition of an adequate~~
29 ~~capital stock of farm equipment and machinery, much of--which~~
30 ~~is--manufactured--in--this--State,--therefore--impairing--the~~
31 ~~productivity--of--agricultural--land--and,--further,--causing~~
32 ~~unemployment or lack of appropriate increase in employment in~~
33 ~~such manufacturing;--(v)--that such conditions are conducive to~~
34 ~~consolidation--of--acreage--of--agricultural--land with fewer~~

1 individuals living and farming on the traditional family
2 farm; (vi) that these conditions result in a loss in
3 population, unemployment and movement of persons from rural
4 to urban areas accompanied by added costs to communities for
5 creation of new public facilities and services; (vii) that
6 there have been recurrent shortages of funds for agricultural
7 purposes from private market sources at reasonable rates of
8 interest; (viii) that these shortages have made the sale and
9 purchase of agricultural land to family farmers a virtual
10 impossibility in many parts of the State; (ix) that the
11 ordinary operations of private enterprise have not in the
12 past corrected these conditions; and (x) that a stable supply
13 of adequate funds for agricultural financing is required to
14 encourage family farmers in an orderly and sustained manner
15 and to reduce the problems described above;

16 (l) that for the benefit of the people of the State of
17 Illinois, the conduct and increase of their commerce, the
18 protection and enhancement of their welfare, the development
19 of continued prosperity and the improvement of their health
20 and living conditions it is essential that all the people of
21 the State be given the fullest opportunity to learn and to
22 develop their intellectual and mental capacities and skills;
23 that to achieve these ends it is of the utmost importance
24 that private institutions of higher education within the
25 State be provided with appropriate additional means to assist
26 the people of the State in achieving the required levels of
27 learning and development of their intellectual and mental
28 capacities and skills and that cultural institutions within
29 the State be provided with appropriate additional means to
30 expand the services and resources which they offer for the
31 cultural, intellectual, scientific, educational and artistic
32 enrichment of the people of the State;

33 (m) that in order to foster civic and neighborhood
34 pride, citizens require access to facilities such as

1 educational institutions, recreation, parks and open spaces,
2 entertainment and sports, a reliable transportation network,
3 cultural facilities and theaters and other facilities as
4 authorized by this Act, and that it is in the best interests
5 of the State to lower the costs of all such facilities by
6 providing financing through the State; and

7 (n) that to preserve and protect the health of the
8 citizens of the State, and lower the costs of health care,
9 that financing for health facilities should be provided
10 through the State; and it is hereby declared to be the policy
11 of the State, in the interest of promoting the health,
12 safety, morals and general welfare of all the people of the
13 State, to address the conditions noted above, to increase job
14 opportunities and to retain existing jobs in the State, by
15 making available through the Illinois Finance Authority,
16 hereinafter created, funds for the development, improvement
17 and creation of industrial, housing, local government,
18 educational, health, public purpose and other projects; to
19 issue its bonds and notes to make funds at reduced rates and
20 on more favorable terms for borrowing by local governmental
21 units through the purchase of the bonds or notes of the
22 governmental units; ~~and to make or acquire loans for the~~
23 ~~acquisition and development of agricultural facilities;~~ to
24 provide financing for private institutions of higher
25 education, cultural institutions, health facilities and other
26 facilities and projects as authorized by this Act; and to
27 grant broad powers to the Illinois Finance Authority to
28 accomplish and to carry out these policies of the State which
29 are in the public interest of the State and of its taxpayers
30 and residents.

31 (Source: P.A. 93-205, eff. 1-1-04.)

32 (20 ILCS 3501/801-10)

33 Sec. 801-10. Definitions. The following terms, whenever

1 used or referred to in this Act, shall have the following
2 meanings, except in such instances where the context may
3 clearly indicate otherwise:

4 (a) The term "Authority" means the Illinois Finance
5 Authority created by this Act.

6 (b) The term "project" means an industrial project,
7 housing project, public purpose project, higher education
8 project, health facility project, and cultural institution
9 project, ~~agricultural-facility-or-agribusiness~~, and "project"
10 may include any combination of one or more of the foregoing
11 undertaken jointly by any person with one or more other
12 persons, but "project" shall not include any facility used or
13 to be used for sectarian instruction or as a place of
14 religious worship nor any facility which is used or to be
15 used primarily in connection with any part of the program of
16 a school or department of divinity for any religious
17 denomination or the training of ministers, priests, rabbis or
18 other professional persons in the field of religion.

19 (c) The term "public purpose project" means any project
20 or facility including without limitation land, buildings,
21 structures, machinery, equipment and all other real and
22 personal property, which is authorized or required by law to
23 be acquired, constructed, improved, rehabilitated,
24 reconstructed, replaced or maintained by any unit of
25 government or any other lawful public purpose which is
26 authorized or required by law to be undertaken by any unit of
27 government.

28 (d) The term "industrial project" means the acquisition,
29 construction, refurbishment, creation, development or
30 redevelopment of any facility, equipment, machinery, real
31 property or personal property for use by any instrumentality
32 of the State or its political subdivisions, for use by any
33 person or institution, public or private, for profit or not
34 for profit, or for use in any trade or business including,

1 but not limited to, any industrial, manufacturing or
2 commercial enterprise and which is (1) a capital project
3 including but not limited to: (i) land and any rights
4 therein, one or more buildings, structures or other
5 improvements, machinery and equipment, whether now existing
6 or hereafter acquired, and whether or not located on the same
7 site or sites; (ii) all appurtenances and facilities
8 incidental to the foregoing, including, but not limited to
9 utilities, access roads, railroad sidings, track, docking and
10 similar facilities, parking facilities, dockage, wharfage,
11 railroad roadbed, track, trestle, depot, terminal, switching
12 and signaling or related equipment, site preparation and
13 landscaping; and (iii) all non-capital costs and expenses
14 relating thereto or (2) any addition to, renovation,
15 rehabilitation or improvement of a capital project or (3) any
16 activity or undertaking which the Authority determines will
17 aid, assist or encourage economic growth, development or
18 redevelopment within the State or any area thereof, will
19 promote the expansion, retention or diversification of
20 employment opportunities within the State or any area thereof
21 or will aid in stabilizing or developing any industry or
22 economic sector of the State economy. The term "industrial
23 project" also means the production of motion pictures.

24 (e) The term "bond" or "bonds" shall include bonds,
25 notes (including bond, grant or revenue anticipation notes),
26 certificates and/or other evidences of indebtedness
27 representing an obligation to pay money, including refunding
28 bonds.

29 (f) The terms "lease agreement" and "loan agreement"
30 shall mean: (i) an agreement whereby a project acquired by
31 the Authority by purchase, gift or lease is leased to any
32 person, corporation or unit of local government which will
33 use or cause the project to be used as a project as
34 heretofore defined upon terms providing for lease rental

1 payments at least sufficient to pay when due all principal
2 of, interest and premium, if any, on any bonds of the
3 Authority issued with respect to such project, providing for
4 the maintenance, insuring and operation of the project on
5 terms satisfactory to the Authority, providing for
6 disposition of the project upon termination of the lease
7 term, including purchase options or abandonment of the
8 premises, and such other terms as may be deemed desirable by
9 the Authority, or (ii) any agreement pursuant to which the
10 Authority agrees to loan the proceeds of its bonds issued
11 with respect to a project or other funds of the Authority to
12 any person which will use or cause the project to be used as
13 a project as heretofore defined upon terms providing for loan
14 repayment installments at least sufficient to pay when due
15 all principal of, interest and premium, if any, on any bonds
16 of the Authority, if any, issued with respect to the project,
17 and providing for maintenance, insurance and other matters as
18 may be deemed desirable by the Authority.

19 (g) The term "financial aid" means the expenditure of
20 Authority funds or funds provided by the Authority through
21 the issuance of its bonds, notes or other evidences of
22 indebtedness or from other sources for the development,
23 construction, acquisition or improvement of a project.

24 (h) The term "person" means an individual, corporation,
25 unit of government, business trust, estate, trust,
26 partnership or association, 2 or more persons having a joint
27 or common interest, or any other legal entity.

28 (i) The term "unit of government" means the federal
29 government, the State or unit of local government, a school
30 district, or any agency or instrumentality, office, officer,
31 department, division, bureau, commission, college or
32 university thereof.

33 (j) The term "health facility" means: (a) any public or
34 private institution, place, building, or agency required to

1 be licensed under the Hospital Licensing Act; (b) any public
2 or private institution, place, building, or agency required
3 to be licensed under the Nursing Home Care Act; (c) any
4 public or licensed private hospital as defined in the Mental
5 Health and Developmental Disabilities Code; (d) any such
6 facility exempted from such licensure when the Director of
7 Public Health attests that such exempted facility meets the
8 statutory definition of a facility subject to licensure; (e)
9 any other public or private health service institution,
10 place, building, or agency which the Director of Public
11 Health attests is subject to certification by the Secretary,
12 U.S. Department of Health and Human Services under the Social
13 Security Act, as now or hereafter amended, or which the
14 Director of Public Health attests is subject to
15 standard-setting by a recognized public or voluntary
16 accrediting or standard-setting agency; (f) any public or
17 private institution, place, building or agency engaged in
18 providing one or more supporting services to a health
19 facility; (g) any public or private institution, place,
20 building or agency engaged in providing training in the
21 healing arts, including but not limited to schools of
22 medicine, dentistry, osteopathy, optometry, podiatry,
23 pharmacy or nursing, schools for the training of x-ray,
24 laboratory or other health care technicians and schools for
25 the training of para-professionals in the health care field;
26 (h) any public or private congregate, life or extended care
27 or elderly housing facility or any public or private home for
28 the aged or infirm, including, without limitation, any
29 Facility as defined in the Life Care Facilities Act; (i) any
30 public or private mental, emotional or physical
31 rehabilitation facility or any public or private educational,
32 counseling, or rehabilitation facility or home, for those
33 persons with a developmental disability, those who are
34 physically ill or disabled, the emotionally disturbed, those

1 persons with a mental illness or persons with learning or
2 similar disabilities or problems; (j) any public or private
3 alcohol, drug or substance abuse diagnosis, counseling
4 treatment or rehabilitation facility, (k) any public or
5 private institution, place, building or agency licensed by
6 the Department of Children and Family Services or which is
7 not so licensed but which the Director of Children and Family
8 Services attests provides child care, child welfare or other
9 services of the type provided by facilities subject to such
10 licensure; (l) any public or private adoption agency or
11 facility; and (m) any public or private blood bank or blood
12 center. "Health facility" also means a public or private
13 structure or structures suitable primarily for use as a
14 laboratory, laundry, nurses or interns residence or other
15 housing or hotel facility used in whole or in part for staff,
16 employees or students and their families, patients or
17 relatives of patients admitted for treatment or care in a
18 health facility, or persons conducting business with a health
19 facility, physician's facility, surgicenter, administration
20 building, research facility, maintenance, storage or utility
21 facility and all structures or facilities related to any of
22 the foregoing or required or useful for the operation of a
23 health facility, including parking or other facilities or
24 other supporting service structures required or useful for
25 the orderly conduct of such health facility.

26 (k) The term "participating health institution" means a
27 private corporation or association or public entity of this
28 State, authorized by the laws of this State to provide or
29 operate a health facility as defined in this Act and which,
30 pursuant to the provisions of this Act, undertakes the
31 financing, construction or acquisition of a project or
32 undertakes the refunding or refinancing of obligations,
33 loans, indebtedness or advances as provided in this Act.

34 (l) The term "health facility project", means a specific

1 health facility work or improvement to be financed or
2 refinanced (including without limitation through
3 reimbursement of prior expenditures), acquired, constructed,
4 enlarged, remodeled, renovated, improved, furnished, or
5 equipped, with funds provided in whole or in part hereunder,
6 any accounts receivable, working capital, liability or
7 insurance cost or operating expense financing or refinancing
8 program of a health facility with or involving funds provided
9 in whole or in part hereunder, or any combination thereof.

10 (m) The term "bond resolution" means the resolution or
11 resolutions authorizing the issuance of, or providing terms
12 and conditions related to, bonds issued under this Act and
13 includes, where appropriate, any trust agreement, trust
14 indenture, indenture of mortgage or deed of trust providing
15 terms and conditions for such bonds.

16 (n) The term "property" means any real, personal or
17 mixed property, whether tangible or intangible, or any
18 interest therein, including, without limitation, any real
19 estate, leasehold interests, appurtenances, buildings,
20 easements, equipment, furnishings, furniture, improvements,
21 machinery, rights of way, structures, accounts, contract
22 rights or any interest therein.

23 (o) The term "revenues" means, with respect to any
24 project, the rents, fees, charges, interest, principal
25 repayments, collections and other income or profit derived
26 therefrom.

27 (p) The term "higher education project" means, in the
28 case of a private institution of higher education, an
29 educational facility to be acquired, constructed, enlarged,
30 remodeled, renovated, improved, furnished, or equipped, or
31 any combination thereof.

32 (q) The term "cultural institution project" means, in
33 the case of a cultural institution, a cultural facility to be
34 acquired, constructed, enlarged, remodeled, renovated,

1 improved, furnished, or equipped, or any combination thereof.

2 (r) The term "educational facility" means any property
3 located within the State constructed or acquired before or
4 after the effective date of this Act, which is or will be, in
5 whole or in part, suitable for the instruction, feeding,
6 recreation or housing of students, the conducting of research
7 or other work of a private institution of higher education,
8 the use by a private institution of higher education in
9 connection with any educational, research or related or
10 incidental activities then being or to be conducted by it, or
11 any combination of the foregoing, including, without
12 limitation, any such property suitable for use as or in
13 connection with any one or more of the following: an academic
14 facility, administrative facility, agricultural facility,
15 assembly hall, athletic facility, auditorium, boating
16 facility, campus, communication facility, computer facility,
17 continuing education facility, classroom, dining hall,
18 dormitory, exhibition hall, fire fighting facility, fire
19 prevention facility, food service and preparation facility,
20 gymnasium, greenhouse, health care facility, hospital,
21 housing, instructional facility, laboratory, library,
22 maintenance facility, medical facility, museum, offices,
23 parking area, physical education facility, recreational
24 facility, research facility, stadium, storage facility,
25 student union, study facility, theatre or utility. An
26 educational facility shall not include any property used or
27 to be used for sectarian instruction or study or as a place
28 for devotional activities or religious worship nor any
29 property which is used or to be used primarily in connection
30 with any part of the program of a school or department of
31 divinity for any religious denomination.

32 (s) The term "cultural facility" means any property
33 located within the State constructed or acquired before or
34 after the effective date of this Act, which is or will be, in

1 whole or in part, suitable for the particular purposes or
2 needs of a cultural institution, including, without
3 limitation, any such property suitable for use as or in
4 connection with any one or more of the following: an
5 administrative facility, aquarium, assembly hall, auditorium,
6 botanical garden, exhibition hall, gallery, greenhouse,
7 library, museum, scientific laboratory, theater or zoological
8 facility, and shall also include, without limitation, books,
9 works of art or music, animal, plant or aquatic life or other
10 items for display, exhibition or performance. The term
11 "cultural facility" includes buildings on the National
12 Register of Historic Places which are owned or operated by
13 nonprofit entities. A cultural facility shall not include any
14 property used or to be used for sectarian instruction or
15 study or as a place for devotional activities or religious
16 worship nor any property which is used or to be used
17 primarily in connection with any part of the program of a
18 school or department of divinity for any religious
19 denomination.

20 (t) "Private institution of higher education" means a
21 not-for-profit educational institution which is not owned by
22 the State or any political subdivision, agency,
23 instrumentality, district or municipality thereof, which is
24 authorized by law to provide a program of education beyond
25 the high school level and which:

26 (1) Admits as regular students only individuals
27 having a certificate of graduation from a high school, or
28 the recognized equivalent of such a certificate;

29 (2) Provides an educational program for which it
30 awards a bachelor's degree, or provides an educational
31 program, admission into which is conditioned upon the
32 prior attainment of a bachelor's degree or its
33 equivalent, for which it awards a postgraduate degree, or
34 provides not less than a 2-year program which is

1 acceptable for full credit toward such a degree, or
2 offers a 2-year program in engineering, mathematics, or
3 the physical or biological sciences which is designed to
4 prepare the student to work as a technician and at a
5 semiprofessional level in engineering, scientific, or
6 other technological fields which require the
7 understanding and application of basic engineering,
8 scientific, or mathematical principles or knowledge;

9 (3) Is accredited by a nationally recognized
10 accrediting agency or association or, if not so
11 accredited, is an institution whose credits are accepted,
12 on transfer, by not less than 3 institutions which are so
13 accredited, for credit on the same basis as if
14 transferred from an institution so accredited, and holds
15 an unrevoked certificate of approval under the Private
16 College Act from the Board of Higher Education, or is
17 qualified as a "degree granting institution" under the
18 Academic Degree Act; and

19 (4) Does not discriminate in the admission of
20 students on the basis of race, color or creed. "Private
21 institution of higher education" also includes any
22 "academic institution".

23 (u) The term "academic institution" means any
24 not-for-profit institution which is not owned by the State or
25 any political subdivision, agency, instrumentality, district
26 or municipality thereof, which institution engages in, or
27 facilitates academic, scientific, educational or professional
28 research or learning in a field or fields of study taught at
29 a private institution of higher education. Academic
30 institutions include, without limitation, libraries,
31 archives, academic, scientific, educational or professional
32 societies, institutions, associations or foundations having
33 such purposes. Academic institution does not include any
34 school or any institution primarily engaged in religious or

1 sectarian activities.

2 (v) The term "cultural institution" means any
3 not-for-profit institution which is not owned by the State or
4 any political subdivision, agency, instrumentality, district
5 or municipality thereof, which institution engages in the
6 cultural, intellectual, scientific, educational or artistic
7 enrichment of the people of the State. Cultural institutions
8 include, without limitation, aquaria, botanical societies,
9 historical societies, libraries, museums, performing arts
10 associations or societies, scientific societies and
11 zoological societies. Cultural institution does not include
12 any institution primarily engaged in religious or sectarian
13 activities.

14 (w) (Blank). The term "affiliate" means, with respect to
15 financing of an agricultural facility or an agribusiness, any
16 lender, any person, firm or corporation controlled by, or
17 under common control with, such lender, and any person, firm
18 or corporation controlling such lender.

19 (x) (Blank). The term "agricultural facility" means
20 land, any building or other improvement thereon or thereto,
21 and any personal properties deemed necessary or suitable for
22 use, whether or not now in existence, in farming, ranching,
23 the production of agricultural commodities (including,
24 without limitation, the products of aquaculture, hydroponics
25 and silviculture) or the treating, processing or storing of
26 such agricultural commodities when such activities are
27 customarily engaged in by farmers as a part of farming.

28 (y) (Blank). The term "lender" with respect to financing
29 of an agricultural facility or an agribusiness, means any
30 federal or State chartered bank, Federal Land Bank,
31 Production Credit Association, Bank for Cooperatives, federal
32 or State chartered savings and loan association or building
33 and loan association, Small Business Investment Company or
34 any other institution qualified within this State to

1 originate---and---service---loans,---including,---but---without
 2 limitation--to,--insurance--companies,--credit---unions---and
 3 mortgage--loan--companies. "Lender"--also--means--a--wholly--owned
 4 subsidiary--of--a--manufacturer,--seller--or--distributor--of--goods
 5 or--services--that--makes--loans--to--businesses--or--individuals,
 6 commonly--known--as--a--"captive--finance--company".

7 (z) (Blank). The--term--"agribusiness"--means--any--sole
 8 proprietorship,--limited--partnership,--co-partnership,--joint
 9 venture,--corporation--or--cooperative--which--operates--or--will
 10 operate--a--facility--located--within--the--State--of--Illinois--that
 11 is--related--to--the--processing--of--agricultural--commodities
 12 (including,--without--limitation,--the--products--of--aquaculture,
 13 hydroponics---and---silviculture)---or---the---manufacturing,
 14 production--or--construction---of---agricultural---buildings,
 15 structures,--equipment,--implements,--and--supplies,--or--any--other
 16 facilities--or--processes--used--in--agricultural--production.
 17 Agribusiness--includes--but--is--not--limited--to--the--following:

18 (1)--grain--handling--and--processing,--including--grain
 19 storage,--drying,--treatment,--conditioning,--mailing--and
 20 packaging;

21 (2)--seed--and--feed--grain--development--and--processing;

22 (3)--fruit--and--vegetable---processing,---including
 23 preparation,--canning--and--packaging;

24 (4)--processing--of--livestock--and--livestock--products,
 25 dairy--products,--poultry--and--poultry--products,--fish--or
 26 apiarian---products,---including---slaughter,---shearing,
 27 collecting,--preparation,--canning--and--packaging;

28 (5)--fertilizer---and---agricultural---chemical
 29 manufacturing,--processing,--application--and--supplying;

30 (6)--farm---machinery,---equipment---and---implement
 31 manufacturing--and--supplying;

32 (7)--manufacturing--and--supplying--of--agricultural
 33 commodity--processing--machinery--and--equipment,--including
 34 machinery--and--equipment--used--in--slaughter,--treatment,

1 handling,--collecting,--preparation,--canning-or-packaging
2 of-agricultural-commodities;

3 (8)--farm-building-and-farm-structure-manufacturing,
4 construction-and-supplying;

5 (9)--construction,--manufacturing,--implementation,
6 supplying--or--servicing-of-irrigation,--drainage-and-soil
7 and-water-conservation-devices-or-equipment;

8 (10)--fuel--processing--and--development--facilities
9 that--produce--fuel--from--agricultural--commodities--or
10 byproducts;

11 (11)--facilities--and--equipment--for-processing-and
12 packaging--agricultural--commodities---specifically---for
13 export;

14 (12)--facilities--and-equipment-for-forestry-product
15 processing---and---supplying,---including---sawmilling
16 operations,---wood--chip--operations,--timber--harvesting
17 operations,--and-manufacturing-of-prefabricated-buildings,
18 paper,--furniture-or-other-goods-from-forestry-products;

19 (13)--facilities--and--equipment--for--research--and
20 development-of-products,--processes-and-equipment-for--the
21 production,---processing,--preparation--or--packaging--of
22 agricultural-commodities-and-byproducts.

23 (aa) (Blank). The-term-"asset"-with-respect-to-financing
24 of-any-agricultural-facility-or-any-agribusiness,--means,--but
25 is--not-limited-to-the-following:-cash-crops-or-feed-on-hand;
26 livestock-held-for-sale;-breeding-stock;-marketable-bonds-and
27 securities;-securities--not--readily--marketable;---accounts
28 receivable;-notes-receivable;-cash-invested-in-growing-crops;
29 net--cash--value--of-life-insurance;-machinery-and-equipment;
30 cars-and-trucks;-farm-and-other-real--estate--including--life
31 estates-and-personal-residence;-value-of-beneficial-interests
32 in--trusts;-government--payments--or--grants;-and-any-other
33 assets.

34 (bb) (Blank). The--term--"liability"--with--respect--to

1 financing-of-any-agricultural-facility--or--any--agribusiness
 2 shall--include, but not be limited to the following: accounts
 3 payable; notes or other--indebtedness--owed--to--any--source;
 4 taxes;--rent;--amounts--owed-on-real-estate-contracts-or-real
 5 estate-mortgages; judgments; accrued--interest--payable;--and
 6 any-other-liability.

7 (cc) The term "Predecessor Authorities" means those
 8 authorities as described in Section 845-75.

9 (dd) The term "housing project" means a specific work or
 10 improvement undertaken to provide residential dwelling
 11 accommodations, including the acquisition, construction or
 12 rehabilitation of lands, buildings and community facilities
 13 and in connection therewith to provide nonhousing facilities
 14 which are part of the housing project, including land,
 15 buildings, improvements, equipment and all ancillary
 16 facilities for use for offices, stores, retirement homes,
 17 hotels, financial institutions, service, health care,
 18 education, recreation or research establishments, or any
 19 other commercial purpose which are or are to be related to a
 20 housing development.

21 (Source: P.A. 93-205, eff. 1-1-04.)

22 (20 ILCS 3501/845-75)

23 Sec. 845-75. Transfer of functions from previously
 24 existing authorities to the Illinois Finance Authority. The
 25 Illinois Finance Authority created by the Illinois Finance
 26 Authority Act shall succeed to, assume and exercise all
 27 rights, powers, duties and responsibilities formerly
 28 exercised by the following Authorities and entities (herein
 29 called the "Predecessor Authorities") prior to the abolition
 30 of the Predecessor Authorities by this Act:

31 The Illinois Development Finance Authority

32 ~~The Illinois Farm Development Authority~~

33 The Illinois Health Facilities Authority

1 The Illinois Educational Facilities Authority

2 The Illinois Community Development Finance Corporation

3 The Illinois Rural Bond Bank

4 The Research Park Authority

5 All books, records, papers, documents and pending
6 business in any way pertaining to the Predecessor Authorities
7 are transferred to the Illinois Finance Authority, but any
8 rights or obligations of any person under any contract made
9 by, or under any rules, regulations, uniform standards,
10 criteria and guidelines established or approved by, such
11 Predecessor Authorities shall be unaffected thereby. All
12 bonds, notes or other evidences of indebtedness outstanding
13 on the effective date of this Act shall be unaffected by the
14 transfer of functions to the Illinois Finance Authority. No
15 rule, regulation, standard, criteria or guideline
16 promulgated, established or approved by the Predecessor
17 Authorities pursuant to an exercise of any right, power, duty
18 or responsibility assumed by and transferred to the Illinois
19 Finance Authority shall be affected by this Act, and all such
20 rules, regulations, standards, criteria and guidelines shall
21 become those of the Illinois Finance Authority until such
22 time as they are amended or repealed by the Illinois Finance
23 Authority.

24 (Source: P.A. 93-205, eff. 1-1-04.)

25 (20 ILCS 3501/845-80)

26 Sec. 845-80. Any reference in statute, in rule, or
27 otherwise to the following entities is a reference to the
28 Illinois Finance Authority created by this Act:

29 The Illinois Development Finance Authority.

30 ~~The Illinois Farm Development Authority.~~

31 The Illinois Health Facilities Authority.

32 The Illinois Research Park Authority.

33 The Illinois Rural Bond Bank.

1 The Illinois Educational Facilities Authority.
 2 The Illinois Community Development Finance Corporation.
 3 (Source: P.A. 93-205, eff. 1-1-04.)

4 (20 ILCS 3501/845-85)

5 Sec. 845-85. Any reference in statute, in rule, or
 6 otherwise to the following Acts is a reference to this Act:

- 7 The Illinois Development Finance Authority Act.
- 8 ~~The Illinois Farm Development Act.~~
- 9 The Illinois Health Facilities Authority Act.
- 10 The Illinois Research Park Authority Act.
- 11 The Rural Bond Bank Act.
- 12 The Illinois Educational Facilities Authority Act.
- 13 The Illinois Community Development Finance Corporation
- 14 Act.

15 (Source: P.A. 93-205, eff. 1-1-04.)

16 (20 ILCS 3501/890-90)

17 Sec. 890-90. The following Acts are repealed:

- 18 The Illinois Development Finance Authority Act.
- 19 ~~The Illinois Farm Development Act.~~
- 20 The Illinois Health Facilities Authority Act.
- 21 The Illinois Research Park Authority Act.
- 22 The Rural Bond Bank Act.
- 23 The Illinois Educational Facilities Authority Act.
- 24 The Illinois Community Development Finance
- 25 Corporation Act.

26 (Source: P.A. 93-205, eff. 1-1-04.)

27 (20 ILCS 3501/Art. 830 rep.)

28 Section. 12. The Illinois Finance Authority Act is
 29 amended by repealing Article 830.

30 Section 15. The Emergency Farm Credit Allocation Act is

1 amended by changing Sections 3 and 4 as follows:

2 (20 ILCS 3610/3) (from Ch. 5, par. 1253)

3 Sec. 3. As used in this Act unless the context otherwise
4 requires:

5 (a) "Applicant" means an Illinois farmer applying for an
6 operating loan.

7 (b) "Operating loan" means a loan to an applicant in
8 connection with cultivating the soil, or in connection with
9 raising or harvesting any agricultural or horticultural
10 commodity, including the raising, feeding and management of
11 livestock or poultry on a farm of which the applicant is the
12 owner, tenant, or operator, for the current year's operating
13 expenses.

14 (c) "Lender" means any federal or State chartered bank,
15 federal land bank, production credit association, bank for
16 cooperatives, federal or State chartered savings and loan
17 association or building and loan association, business
18 investment company or any other institution qualified within
19 this State to originate and service loans, including, but
20 without limitation to, insurance companies, credit unions and
21 mortgage loan companies.

22 (d) "Payment adjustment" means an amount of money equal
23 to one-half of the total interest payable on the principal of
24 the operating loan.

25 (e) "Authority" means the Illinois Farm Development
26 Finance Authority.

27 (f) "Asset" shall include, but not be limited to the
28 following: cash crops or feed on hand; livestock held for
29 sale; breeding stock; marketable bonds and securities;
30 securities not readily marketable; accounts receivable; notes
31 receivable; cash invested in growing crops; net cash value of
32 life insurance; machinery and equipment; cars and trucks;
33 farm and other real estate including life estates and

1 personal residence; value of beneficial interests in trusts;
2 government payments or grants; and any other assets.

3 (g) "Liability" shall include, but not be limited to the
4 following: accounts payable; notes or other indebtedness owed
5 to any source; taxes; rent; amounts owed on real estate
6 contracts or real estate mortgages; judgments; accrued
7 interest payable; and any other liability.

8 (h) "Debt to asset ratio" means the current outstanding
9 liabilities of the farmer divided by the current outstanding
10 assets of the farmer.

11 (Source: P.A. 93-205, eff. 1-1-04.)

12 (20 ILCS 3610/4) (from Ch. 5, par. 1254)

13 Sec. 4. There is hereby created a payment adjustment
14 program to be administered by the Illinois Farm Development
15 Finance Authority. The Authority shall have the authority to
16 promulgate and adopt rules and regulations which are
17 consistent with this Act. The Authority may impose a minimal
18 fee to cover the costs of administering the program. On or
19 before May 1 of each of the next six years, or until all
20 repayments have been received on payment adjustments, the
21 Authority shall submit a report to the General Assembly and
22 the Governor concerning the status of the payment adjustment
23 program. The Authority shall grant no payment adjustments
24 after June 15, 1986.

25 (Source: P.A. 93-205, eff. 1-1-04.)

26 Section 20. The Build Illinois Act is amended by
27 changing Section 8-3 as follows:

28 (30 ILCS 750/8-3) (from Ch. 127, par. 2708-3)

29 Sec. 8-3. Powers of the Department. The Department has
30 the power to:

31 (a) provide business development public infrastructure

1 loans or grants from appropriations from the Build Illinois
2 Bond Fund, the Build Illinois Purposes Fund, the Fund for
3 Illinois' Future, and the Public Infrastructure Construction
4 Loan Fund to local governments to provide or improve a
5 community's public infrastructure so as to create or retain
6 private sector jobs pursuant to the provisions of this
7 Article;

8 (b) provide affordable financing of public
9 infrastructure loans and grants to, or on behalf of, local
10 governments, local public entities, medical facilities, and
11 public health clinics from appropriations from the Public
12 Infrastructure Construction Loan Fund for the purpose of
13 assisting with the financing, or application and access to
14 financing, of a community's public infrastructure necessary
15 to health, safety, and economic development;

16 (c) enter into agreements, accept funds or grants, and
17 engage in cooperation with agencies of the federal
18 government, or state or local governments to carry out the
19 purposes of this Article, and to use funds appropriated
20 pursuant to this Article to participate in federal
21 infrastructure loan and grant programs upon such terms and
22 conditions as may be established by the federal government;

23 (d) establish application, notification, contract, and
24 other procedures, rules, or regulations deemed necessary and
25 appropriate to carry out the provisions of this Article;

26 (e) coordinate assistance under this program with
27 activities of the Illinois Finance Authority in order to
28 maximize the effectiveness and efficiency of State
29 development programs;

30 (f) coordinate assistance under the Affordable Financing
31 of Public Infrastructure Loan and Grant Program with the
32 activities of the Illinois Finance Authority, ~~Illinois~~
33 ~~Finance--Authority,~~ Illinois Farm Development Finance
34 Authority, Illinois Housing Development Authority, Illinois

1 Environmental Protection Agency, and other federal and State
2 programs and entities providing financing assistance to
3 communities for public health, safety, and economic
4 development infrastructure;

5 (f-5) provide staff, administration, and related support
6 required to manage the programs authorized under this Article
7 and pay for the staffing, administration, and related support
8 from the Public Infrastructure Construction Loan Revolving
9 Fund;

10 (g) exercise such other powers as are necessary or
11 incidental to the foregoing.

12 (Source: P.A. 93-205 (Sections 890-10, 890-34, and 890-43),
13 eff. 1-1-04; revised 10-3-03.)

14 Section 25. The Livestock Management Facilities Act is
15 amended by changing Section 17 as follows:

16 (510 ILCS 77/17)

17 Sec. 17. Financial responsibility. Owners of new or
18 modified lagoons registered under the provisions of this Act
19 shall establish and maintain evidence of financial
20 responsibility to provide for the closure of the lagoons and
21 the proper disposal of their contents within the time
22 provisions outlined in this Act. Financial responsibility
23 may be evidenced by any combination of the following:

- 24 (1) Commercial or private insurance;
- 25 (2) Guarantee;
- 26 (3) Surety bond;
- 27 (4) Letter of credit;
- 28 (5) Certificate of Deposit or designated savings
29 account;
- 30 (6) Participation in a livestock waste lagoon
31 closure fund managed by the Illinois Farm Development
32 Finance Authority.

1 The level of surety required shall be determined by rule
2 and be based upon the volumetric capacity of the lagoon.
3 Surety instruments required under this Section shall be
4 required after the effective date of rules adopted for the
5 implementation of this Act.

6 (Source: P.A. 93-205, eff. 1-1-04.)

7 Section 30. The Illinois Forestry Development Act is
8 amended by changing Section 4 and 6a as follows:

9 (525 ILCS 15/4) (from Ch. 96 1/2, par. 9104)

10 Sec. 4. The Department shall:

11 (a) Implement the forestry development cost share
12 program created by Section 5 of this Act and coordinate with
13 the United States Department of Agriculture - Soil
14 Conservation Service and the Agricultural Stabilization and
15 Conservation Service in the administration of such program.

16 (b) Approve acceptable forestry management plans as
17 required by Section 5 of this Act.

18 (c) Provide assistance to the Illinois Council on
19 Forestry Development.

20 (d) Promote the development of an active forestry
21 industry in this State by providing information to timber
22 growers relating to acceptable management practices,
23 suitability of various kinds of timber to various land types,
24 marketability of various types of timber, market strategies
25 including marketing cooperatives, availability of State and
26 federal government assistance, soil and water conservation
27 benefits, and wildlife habitat enhancement opportunities.

28 (e) Provide any aid or information requested by the
29 Illinois Farm Development Finance Authority in relation to
30 forestry industry assistance programs implemented under the
31 Illinois Farm Development Finance-Authority Act.

32 (Source: P.A. 93-205, eff. 1-1-04.)

1 (525 ILCS 15/6a) (from Ch. 96 1/2, par. 9106a)
2 (Section scheduled to be repealed on December 31, 2008)
3 Sec. 6a. Illinois Forestry Development Council.

4 (a) The Illinois Forestry Development Council is hereby
5 re-created by this amendatory Act of the 91st General
6 Assembly.

7 (b) The Council shall consist of 24 members appointed as
8 follows:

9 (1) four members of the General Assembly, one
10 appointed by the President of the Senate, one appointed
11 by the Senate Minority Leader, one appointed by the
12 Speaker of the House of Representatives, and one
13 appointed by the House Minority Leader;

14 (2) one member appointed by the Governor to
15 represent the Governor;

16 (3) the Directors of the Departments of Natural
17 Resources, Agriculture, and Commerce and Community
18 Affairs, the Executive Director of the Illinois Farm
19 Development Finance Authority, and the Director of the
20 Office of Rural Affairs, or their designees;

21 (4) the chairman of the Department of Forestry or a
22 forestry academician, appointed by the Dean of
23 Agriculture at Southern Illinois University at
24 Carbondale;

25 (5) the head of the Department of Natural Resources
26 and Environmental Sciences or a forestry academician,
27 appointed by the Dean of Agriculture at the University of
28 Illinois;

29 (6) two members, appointed by the Governor, who
30 shall be private timber growers;

31 (7) one member, appointed by the president of the
32 Illinois Wood Products Association, who shall be involved
33 in primary forestry industry;

34 (8) one member, appointed by the president of the

1 Illinois Wood Products Association, who shall be involved
2 in secondary forestry industry;

3 (9) one member who is actively involved in
4 environmental issues, appointed by the Governor;

5 (10) the president of the Association of Illinois
6 Soil and Water Conservation Districts;

7 (11) two persons who are actively engaged in
8 farming, appointed by the Governor;

9 (12) one member, appointed by the Governor, whose
10 primary area of expertise is urban forestry;

11 (13) one member appointed by the President of the
12 Illinois Arborists Association;

13 (14) the Supervisor of the Shawnee National Forest
14 and the United States Department of Agriculture Natural
15 Resource Conservation Service's State Conservationist, ex
16 officio, or their designees.

17 (c) Members of the Council shall serve without
18 compensation but shall be reimbursed for actual expenses
19 incurred in the performance of their duties which are not
20 otherwise reimbursed.

21 (d) The Council shall select from its membership a
22 chairperson and such other officers as it considers
23 necessary.

24 (e) Other individuals, agencies and organizations may be
25 invited to participate as deemed advisable by the Council.

26 (f) The Council shall study and evaluate the forestry
27 resources and forestry industry of Illinois. The Council
28 shall:

29 (1) determine the magnitude, nature and extent of
30 the State's forestry resources;

31 (2) determine current uses and project future
32 demand for forest products, services and benefits in
33 Illinois;

34 (3) determine and evaluate the ownership

1 characteristics of the State's forests, the motives for
2 forest ownership and the success of incentives necessary
3 to stimulate development of forest resources;

4 (4) determine the economic development and
5 management opportunities that could result from
6 improvements in local and regional forest product
7 marketing and from the establishment of new or additional
8 wood-related businesses in Illinois;

9 (5) confer with and offer assistance to the
10 Illinois Farm Development Finance Authority relating to
11 its implementation of forest industry assistance programs
12 authorized by the Illinois Farm Development Finance
13 Autherity Act;

14 (6) determine the opportunities for increasing
15 employment and economic growth through development of
16 forest resources;

17 (7) determine the effect of current governmental
18 policies and regulations on the management of woodlands
19 and the location of wood products markets;

20 (8) determine the staffing and funding needs for
21 forestry and other conservation programs to support and
22 enhance forest resources development;

23 (9) determine the needs of forestry education
24 programs in this State;

25 (10) confer with and offer assistance to the
26 Department of Natural Resources relating to the
27 implementation of urban forestry assistance grants
28 pursuant to the Urban and Community Forestry Assistance
29 Act; and

30 (11) determine soil and water conservation benefits
31 and wildlife habitat enhancement opportunities that can
32 be promoted through approved forestry management plans.

33 (g) The Council shall report (i) its findings and
34 recommendations for future State action and (ii) its

1 evaluation of Urban/Community Forestry Assistance Grants to
2 the General Assembly no later than July 1 of each year.

3 (h) This Section 6a is repealed December 31, 2008.

4 (Source: P.A. 93-205, eff. 1-1-04.)

5 Section 95. No acceleration or delay. Where this Act
6 makes changes in a statute that is represented in this Act by
7 text that is not yet or no longer in effect (for example, a
8 Section represented by multiple versions), the use of that
9 text does not accelerate or delay the taking effect of (i)
10 the changes made by this Act or (ii) provisions derived from
11 any other Public Act.

12 Section 99. Effective date. This Act takes effect on
13 December 31, 2003."