



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 2/6/2004, by Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

New Act

Creates the Illinois State Fair Foundation Act. Authorizes the Department of Agriculture to create a not-for-profit corporation known as the Illinois State Fair Foundation. Provides for appointment of the Foundation's Board of Directors. Sets forth the purposes, duties, and powers of the Foundation. Authorizes the Department to adopt rules necessary to govern Foundation procedures. Provides for the disposition of funds collected by the Foundation. Effective immediately.

LRB093 17953 RAS 43636 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning agriculture.

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
5 Illinois State Fair Foundation Act.

6 Section 5. Creation of foundation. The General Assembly
7 authorizes the Department of Agriculture, in accordance with
8 Section 10 of the State Agency Entity Creation Act, to create
9 the Illinois State Fair Foundation as a not-for-profit
10 foundation. The Department shall file articles of
11 incorporation as required under the General Not For Profit
12 Corporation Act of 1986 to create the Foundation. The
13 Foundation's Board of Directors shall be appointed as follows:
14 2 by the President of the Illinois Senate; 2 by the Minority
15 Leader of the Illinois Senate; 2 by the Speaker of the Illinois
16 House of Representatives; 2 by the Minority Leader of the
17 Illinois House of Representatives; and 4 by the Governor.
18 Vacancies shall be filled by the official who made the
19 recommendation for the vacated appointment. The Director of
20 Agriculture shall chair the Board of Directors of the
21 Foundation. No member of the Board of Directors may receive
22 compensation for his or her services to the Foundation.

23 Section 10. Foundation purposes. The purposes of the
24 Foundation are: to promote and support the Illinois State Fair;
25 to solicit and accept sponsorships or contributions consistent
26 with the stated intent of the donor and the goals of the
27 Foundation; to accept grants for the acquisition,
28 construction, improvement, and development of potential
29 Foundation projects; to solicit and generate private funding
30 and donations to support the Illinois State Fair; and to engage
31 generally in other lawful endeavors consistent with the

1 foregoing purposes. The foundation shall operate within the
2 provisions of the General Not for Profit Corporation Act of
3 1986.

4 Section 15. Organization, powers, and duties of
5 foundation. As soon as practical after the Foundation is
6 created, the Board of Directors shall meet, organize, and
7 designate, by majority vote, a treasurer, secretary, and any
8 additional officers that may be needed to carry out the
9 activities of the Foundation, and shall adopt bylaws of the
10 Foundation. The Department of Agriculture may adopt other rules
11 deemed necessary to govern Foundation procedures.

12 The Foundation may accept gifts or grants from the federal
13 government, its agencies or officers, or from any person, firm,
14 or corporation, and may expend receipts on activities that it
15 considers suitable to the performance of its duties under this
16 Act and consistent with any requirement of the grant, gift, or
17 bequest. Funds collected by the Foundation shall be considered
18 private funds, except those received from public entities, and
19 shall be held in an appropriate account outside of the State
20 Treasury. The Foundation is authorized to transfer moneys into
21 the Illinois State Fair Fund for use by the Illinois State
22 Fair. Private funds collected by the Foundation are not subject
23 to the Public Funds Investment Act. Foundation procurement is
24 exempt from the Illinois Procurement Code when only private
25 funds are used for procurement expenditures. The treasurer of
26 the Foundation shall be custodian of all Foundation funds. The
27 Foundation's accounts and books shall be set up and maintained
28 in a manner approved by the Auditor General; and the Foundation
29 and its officers shall be responsible for the approval of
30 recording of receipts, approval of payments, and the proper
31 filing of required reports. The Foundation may be assisted in
32 carrying out its functions by personnel of the Department of
33 Agriculture. The Department shall provide reasonable
34 assistance to the Foundation to achieve the purposes of the
35 Foundation. The Foundation shall cooperate fully with the

1 boards, commissions, agencies, departments, and institutions
2 of the State. The funds held and made available by the Illinois
3 State Fair Foundation shall be subject to financial and
4 compliance audits by the Auditor General in compliance with the
5 Illinois State Auditing Act.

6 The Foundation shall not have any power of eminent domain.

7 Section 20. Disclosure to donors of exemption from Public
8 Funds Investment Act. The Foundation must provide a written
9 notice to any entity providing a gift, grant, or bequest to the
10 Foundation that the Foundation is not subject to the provisions
11 of the Public Funds Investment Act which Act places limitations
12 on the types of securities in which a public agency may invest
13 public funds.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.