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09300SB3197ham001

LRB093 21134 MKM 51974 a

1 AMENDMENT TO SENATE BILL 3197

2 AMENDMENT NO. _____. Amend Senate Bill 3197 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Fair Act is amended by changing
5 Sections 6, 8, 11.1, 12, and 13 as follows:

6 (20 ILCS 210/6) (from Ch. 127, par. 1706)

7 Sec. 6. Policies, procedures, and powers concerning the
8 operation of fairs.

9 (a) Policies. The Department shall, pursuant to the
10 Illinois Administrative Procedure Act, establish by rule:

11 (1) ~~establish~~ the policy for the operation of the
12 Illinois State Fair and the DuQuoin State Fair, ~~except~~
13 those operations regarding contests as provided for in
14 subparagraphs (b) and (c) of this Section, and ~~shall set~~

15 (2) the policies and procedures for the sale, barter,
16 or exchange of tickets and for ticket refunds for cancelled
17 events.

18 (b) Contests. The Department shall establish and make
19 available, for all contestants and other interested persons,
20 sufficient copies of a premium book or other publication that
21 establishes the kinds and classes of events or exhibits for
22 contests at the fairs, the conditions under which contestants
23 shall be entered into contests, the qualification and
24 disqualification requirements of contests, the drug testing

1 requirements for contests (if applicable), the premiums to be
2 offered to contest winners, the manner in which certificates of
3 award shall be distributed and premiums paid to contest
4 winners, the penalty for violations of a rule, condition,
5 instruction, or directive, and requirements of contests,
6 including but not limited to the return of all premiums paid,
7 the forfeiture of awards, and the prohibition of participating
8 in future contests, and all other rules and requirements for
9 contests. These rules, conditions, instructions, directives,
10 and requirements shall be exempt from the rulemaking procedures
11 of the Illinois Administrative Procedure Act. All such
12 publications issued by the Department that relate to a contest,
13 event, or exhibit shall be maintained as a public record at the
14 Department's principal office in Springfield, Illinois, and
15 made available for public inspection and copying during regular
16 business hours.

17 (c) Fees. The Department shall establish and publish for
18 the Illinois State Fair and the DuQuoin State Fair a schedule
19 of admission fees, entry fees, concession fees, space rentals
20 and other fees for activities offered or provided at each State
21 Fair. These schedules of fees shall be maintained as a public
22 record at the Department's principal office in Springfield,
23 Illinois, and made available for public inspection and copying
24 during regular business, but shall be exempt from the
25 rulemaking procedures of the Illinois Administrative Procedure
26 Act.

27 (d) Facilities. ~~The Department shall also establish and~~
28 ~~publish the classes of exhibits, the conditions under which~~
29 ~~they shall be received, stalled and cared for, the premiums to~~
30 ~~be offered, and the manner in which certificates of award shall~~
31 ~~be prepared and premiums paid.~~ The Department may negotiate and
32 enter into contracts for activities and use of facilities for
33 which there is not an established or published schedule. The
34 contract criteria shall be established by rule, pursuant to the

1 Illinois Administrative Procedure Act. The Department may
2 lease any of its facilities for activities during the State
3 Fair.

4 (e) Advertising. The Illinois State Fair in Springfield and
5 the DuQuoin State Fair shall have the power and authority to
6 sell or exchange advertising rights in all of its publications
7 and printed materials. The sale of advertising shall be subject
8 to the rules promulgated by the Department, pursuant to the
9 Illinois Administrative Procedure Act. All income derived from
10 the sale of advertising at the Illinois State Fair in
11 Springfield shall be deposited into the State Fair Fund. All
12 income derived from the sale of advertising at the DuQuoin
13 State Fair shall be deposited into the Agricultural Premium
14 Fund.

15 (f) Veterans. On the day set aside as Veterans Day,
16 honorably discharged veterans and members of their families
17 shall be admitted without admission charge upon presentation of
18 identification of any of the following: honorable discharge
19 certificate, or photostatic copy thereof, or a paid up
20 membership card in any recognized veterans organization.

21 (g) Government functions. The Governor, Lieutenant
22 Governor, Attorney General, Secretary of State, Treasurer,
23 Comptroller, President and Minority Leader of the Senate, and
24 Minority Leader of the House of Representatives shall be
25 afforded space for official governmental functions, without
26 charge, during the State Fair and the DuQuoin State Fair.

27 (Source: P.A. 88-5; 88-571, 89-96, eff. 7-7-95.)

28 (20 ILCS 210/8) (from Ch. 127, par. 1708)

29 Sec. 8. There is created a Board of State Fair Advisors
30 consisting of the Director, 4 ex-officio members as hereafter
31 named, and up to 20 ~~15~~ persons appointed by the Governor. The
32 Chairman and minority spokesman of the House Agriculture
33 Committee and the Chairman and minority spokesman of the Senate

1 Agriculture, Conservation and Energy Committee of the Illinois
2 General Assembly shall serve as ex-officio members. No more
3 than 3 of the Board members shall be appointed from any one
4 county. Members of the State Fair Advisory Board shall serve
5 for 2 year terms commencing on the third Monday of January of
6 each odd-numbered year. The Governor shall in making
7 appointments to the Board provide for a representation of the
8 interests of the State Fair and the State of Illinois. Members
9 of the Board shall receive no compensation, but shall be
10 reimbursed for necessary expenses incurred in the performance
11 of their duties. An appointed member's office becomes vacant
12 upon his absence from 2 consecutive regularly scheduled
13 meetings. The Director or his authorized representative from
14 the Department shall act as chairman of the Board. The duties
15 of the Board are to advise the Director and the Department on
16 matters concerning the operation of each State Fair and State
17 Fairgrounds as they pertain to varied interests in the State
18 Fairs and the people of the State of Illinois.

19 (Source: P.A. 84-1468.)

20 (20 ILCS 210/11.1) (from Ch. 127, par. 1711.1)

21 Sec. 11.1. The Department shall establish and promote
22 contests and exhibitions of various classes of livestock to be
23 known as the "Land of Lincoln Breeders Awards for Purebred or
24 Registered Livestock" and to be conducted at the State Fair at
25 Springfield. Only animals bred, born and maintained in Illinois
26 and owned and exhibited by Illinois residents shall be eligible
27 to participate in such contests and exhibitions; however, such
28 animals shall be permitted out of this State for a reasonable
29 period of time for showings, exhibitions, breeding or
30 reproductive purposes, or medical treatment.

31 An annual appropriation from the Agricultural Premium Fund
32 shall be made for the "Land of Lincoln Breeders Awards for
33 Purebred or Registered Livestock". The percentage of the

1 appropriation for each class or show of livestock shall be set
2 by the Department in premium books ~~rules and regulations~~. These
3 premium books shall be maintained as a public record at the
4 Department's principal office in Springfield, Illinois, and
5 made available for public inspection and copying during regular
6 business hours, but shall be exempt from the rulemaking
7 procedures of the Illinois Administrative Procedure Act.

8 (Source: P.A. 84-1468.)

9 (20 ILCS 210/12) (from Ch. 127, par. 1712)

10 Sec. 12. The Department shall have the power to promulgate
11 rules and regulations, pursuant to the Illinois Administrative
12 Procedure Act, governing the holding of each State Fair, the
13 operation of the State Fairgrounds, the conditions under which
14 racing shall be permitted on the State Fairgrounds, the policy
15 for policing the grounds and such other reasonable rules and
16 regulations as are necessary to carry out the intent of the
17 Act. However, the Department shall not be required to
18 promulgate rules and regulations pursuant to the Illinois
19 Administrative Procedure Act concerning those operations
20 stated in subsections (b) and (c) of Section 6 of this Act.
21 Instead, the requirements set forth in subsections (b) and (c)
22 of Section 6 must be followed.

23 (Source: P.A. 84-1468.)

24 (20 ILCS 210/13) (from Ch. 127, par. 1713)

25 Sec. 13. Vendors, concessionaires, ~~exhibitors~~ and persons
26 renting space or using facilities at the State Fairgrounds who
27 violate this Act, or any provision of any rule of the
28 Department issued under this Act, may be prohibited from
29 utilizing the State Fairgrounds or participating in activities
30 conducted upon the State Fairgrounds.

31 (Source: P.A. 89-96, eff. 7-7-95.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".