

# HB6059



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB6059

Introduced 2/11/2010, by Rep. Sara Feigenholtz - Jack D. Franks

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Illinois Holocaust and Genocide Commission Act. Provides for the appointment of members by the Governor and for ex officio members. Authorizes the Commission to provide advice concerning education, memorials, events, and other matters. Provides for funding and coordination through the Illinois State Museum and Department of Natural Resources. Repeals the Act on January 1, 2021.

LRB096 20602 RCE 36306 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning government.

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 Holocaust and Genocide Commission Act.

6 Section 5. Definitions. In this Act:

7 "Commission" means the Illinois Holocaust and Genocide  
8 Commission.

9 "Genocide" means any of the following acts committed with  
10 intent to destroy, in whole or in part, a national, ethnic,  
11 racial, or religious group as such:

12 (1) killing members of the group;

13 (2) causing serious bodily or mental harm to members of  
14 the group;

15 (3) deliberately inflicting on the group conditions of  
16 life calculated to bring about the group's physical  
17 destruction in whole or in part;

18 (4) imposing measures intended to prevent births  
19 within the group; or

20 (5) forcibly transferring children of the group to  
21 another group.

22 "Holocaust" means the killing of approximately 6,000,000  
23 Jews and millions of other persons during World War II by the

1 National Socialist German Workers' Party (Nazis) and Nazi  
2 collaborators as part of a state-sponsored, systematic program  
3 of genocide and other actions of persecution, discrimination,  
4 violence, or other human rights violations committed by the  
5 Nazis and Nazi collaborators against those persons.

6 Section 10. Composition of the Commission.

7 (a) The Commission is composed of 18 members as follows:

8 (1) 15 public members appointed by the Governor; and

9 (2) 3 ex officio members as follows:

10 (A) the State Superintendent of Education;

11 (B) the Executive Director of the Board of Higher  
12 Education; and

13 (C) the Director of Veterans' Affairs.

14 (b) The President of the Senate shall designate a member of  
15 the Senate and the Speaker of the House of Representatives  
16 shall designate a member of the House to advise the Commission.

17 Section 15. Public members; eligibility; appointment;  
18 vacancy.

19 (a) A person appointed as a public member of the Commission  
20 must be a resident of this State.

21 (b) Public members of the Commission must include:

22 (1) persons who have served prominently as leaders of  
23 or spokespersons for public or private organizations that  
24 serve members of religious, ethnic, national heritage, or

1 social groups that were subjected to the Holocaust or other  
2 genocides;

3 (2) persons who have significant professional  
4 experience in the field of Holocaust or genocide education;

5 (3) persons who represent liberators of Holocaust or  
6 other genocide victims; and

7 (4) persons who have demonstrated a significant,  
8 particular interest in Holocaust or genocide education.

9 (c) Appointments of public members to the Commission shall  
10 be made:

11 (1) without regard to the race, color, disability, sex,  
12 religion, age, or national origin of an appointee; and

13 (2) so that each geographic area of this State is  
14 represented on the Commission.

15 (d) The original appointing authority shall fill any  
16 vacancy in an appointed position on the Commission for the  
17 unexpired portion of the term.

18 Section 20. Ex officio members; eligibility; designation  
19 of representative.

20 (a) An ex officio member of the Commission vacates the  
21 person's position on the Commission if the person ceases to  
22 hold the position that qualifies the person for service on the  
23 Commission.

24 (b) An ex officio member may designate a representative to  
25 serve on the Commission in the member's absence. A

1 representative designated under this subsection must be an  
2 officer or employee of the State agency that employs the ex  
3 officio member.

4 Section 25. Removal of a public member.

5 (a) It is a ground for removal of a public member from the  
6 Commission if the member:

7 (1) is ineligible for public membership under Section  
8 15(a);

9 (2) cannot because of illness or disability discharge  
10 the member's duties for a substantial part of the term for  
11 which the member is appointed; or

12 (3) is absent from more than 3 consecutive regularly  
13 scheduled Commission meetings that the member is eligible  
14 to attend during a calendar year unless the absence is  
15 excused by majority vote of the Commission.

16 (b) The validity of an action of the Commission is not  
17 affected by the fact that it is taken when a ground for removal  
18 of a Commission member exists.

19 (c) If a member of the Commission has knowledge that a  
20 potential ground for removal exists, the member shall notify  
21 the presiding officer of the Commission of the potential  
22 ground. The presiding officer shall then notify the Governor  
23 and the Attorney General that a potential ground for removal  
24 exists.

1 Section 30. Term of public member.

2 (a) A public member of the Commission serves a term of 4  
3 years, except that the terms of the initial members shall  
4 expire on February 1, 2015.

5 (b) A public member is eligible for reappointment to  
6 another term or part of a term.

7 (c) A public member may not serve more than 2 consecutive  
8 terms. For purposes of this prohibition, a member is considered  
9 to have served a term only if the member has served more than  
10 half of the term.

11 Section 35. Officers; subcommittees.

12 (a) The Governor shall designate a public member of the  
13 Commission as presiding officer to serve in that capacity at  
14 the pleasure of the Governor.

15 (b) The presiding officer of the Commission may appoint a  
16 subcommittee for any purpose consistent with the duties of the  
17 Commission under this Act.

18 Section 40. Compensation; expenses.

19 (a) A public member of the Commission is not entitled to  
20 compensation but is entitled to reimbursement for the travel  
21 expenses incurred by the member while transacting Commission  
22 business, as provided in Section 50.

23 (b) An ex officio member's service on the Commission is an  
24 additional duty of the underlying position that qualifies the

1 member for service on the Commission. The entitlement of an ex  
2 officio member to compensation or to reimbursement for travel  
3 expenses incurred while transacting Commission business is  
4 governed by the law that applies to the member's service in  
5 that underlying position, and any payment to the member for  
6 either purpose must be made from an appropriation that may be  
7 used for the purpose and is available to the State agency that  
8 the member serves in that underlying position.

9 Section 45. Meetings; quorum; voting; public access.

10 (a) The Commission shall meet at least quarterly at the  
11 times and places in this State that the Commission designates.

12 (b) Seven voting members of the Commission constitute a  
13 quorum for transacting Commission business.

14 (c) An ex officio member of the Commission may not vote on  
15 Commission business.

16 (d) The Commission shall develop and implement policies  
17 that provide the public with a reasonable opportunity to appear  
18 before the Commission and speak on any issue under the  
19 jurisdiction of the Commission.

20 Section 50. Coordinator. The Department of Natural  
21 Resources through the Board of the Illinois State Museum shall  
22 provide one part-time employee to serve as the coordinator for  
23 the Illinois Holocaust and Genocide Commission to transact  
24 Commission business. Expenses under Section 40(a) shall be paid

1 by the Department from appropriations available for that  
2 purpose.

3 Section 55. General powers and duties of the Commission.

4 (a) The Commission shall:

5 (1) provide advice and assistance to public and private  
6 elementary and secondary schools and institutions of  
7 higher education in this State regarding implementation of  
8 Holocaust and genocide courses of study and awareness  
9 programs;

10 (2) meet with appropriate representatives of public  
11 and private organizations, including service  
12 organizations, to provide information on and to assist in  
13 planning, coordinating, or modifying Holocaust and  
14 genocide courses of study and awareness programs;

15 (3) determine which, if any, existing Holocaust or  
16 other genocide memorials, exhibits, or other resources  
17 could be included in or used to support Holocaust and  
18 genocide courses of study and awareness programs;

19 (4) compile a list of volunteers, such as Holocaust or  
20 other genocide survivors, liberators of concentration  
21 camps, scholars, and members of the clergy, who have agreed  
22 to share, in classrooms, seminars, exhibits, or workshops,  
23 their verifiable knowledge and experiences regarding the  
24 Holocaust or other genocide;

25 (5) coordinate events in this State memorializing the



1 Holocaust and other genocides on January 27, International  
2 Holocaust Remembrance Day, on the Days of Remembrance  
3 established by the United States Congress, or on any other  
4 day designated by the Commission for that purpose; and

5 (6) solicit volunteers to participate in commemorative  
6 events designed to enhance public awareness of the  
7 continuing significance of the Holocaust and other  
8 genocides.

9 (b) In implementing subsection (a)(3), the Commission may  
10 contact and cooperate with:

11 (1) existing public or private Holocaust or other  
12 genocide resource organizations, including the United  
13 States Holocaust Memorial Museum and the Illinois  
14 Holocaust Museum and Education Center;

15 (2) other museums, centers, and organizations based in  
16 this State;

17 (3) the State Board of Education and the Board of  
18 Higher Education; and

19 (4) members of the United States Congress and of the  
20 Illinois General Assembly.

21 (c) The Commission shall adopt rules as necessary for its  
22 own procedures.

23 (d) The Commission may appoint advisory committees to  
24 advise the Commission.

25 Section 60. Funding.

1           (a) The Commission may accept monetary gifts and grants  
2 from any public or private source, to be held in a  
3 non-appropriated trust fund by the State Treasurer and expended  
4 solely for the use of the Commission in performing the  
5 Commission's powers and duties under this Act. The Commission  
6 may also accept in-kind gifts.

7           (b) The Department of Natural Resources through the  
8 Illinois State Museum may provide staff and may support  
9 functions and activities of the Illinois Holocaust and Genocide  
10 Commission from money available to the Department that may be  
11 used for this purpose. The General Assembly may also  
12 specifically appropriate money to the Department to provide  
13 staff and to otherwise support functions and activities of the  
14 Illinois Holocaust and Genocide Commission.

15           Section 95. Repeal. This Act is repealed on January 1,  
16 2021.