

**98TH GENERAL ASSEMBLY****State of Illinois****2013 and 2014****SB2839**

Introduced 1/30/2014, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

See Index

Amends the Historic Preservation Agency Act. Expands the list of State Historic Sites to include (i) Apple River Fort State Historic Site, Jo Daviess County; (ii) the Crenshaw House State Historic Site, Gallatin County; (iii) the Lewis and Clark State Historic Site, Madison County; (iv) the Martin Boismenu House State Historic Site, St. Clair County; and (v) the World War II Memorial, Sangamon County. Changes the name of the Amistad Commission to the Amistad and Freedom Trail Commission. Requires the Commission to prepare a master plan to promote and preserve the history of the African slave trade, slavery in America, the vestiges of slavery in this country, the freedom trail and underground railroad in the State, and the contributions of African-Americans to our society. Requires the Commission (i) to assist in developing partnerships to seek public and private funds to carry out events memorializing the freedom trail and underground railroad and (ii) to assist in and promote the making of applications for inclusion in the National Park Service's National Underground Railroad Network to Freedom Program. Makes changes to provisions concerning Commission members; the administration of the Lincoln Presidential Library; and the Office of the Internal Auditor of the Historic Preservation Agency. Repeals a provision creating the Freedom Trail Commission. Amends the Illinois Historic Preservation Act. Reduces the number of members on the Illinois Historic Sites Advisory Council from 15 to 11 and makes other changes. Amends the School Code. Changes a reference to "Amistad Commission" to "Amistad and Freedom Trail Commission. Repeals the Local Legacy Act.

LRB098 17093 KTG 52679 b

FISCAL NOTE ACT
MAY APPLY**A BILL FOR**

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Historic Preservation Agency Act is amended
5 by changing Sections 6, 22, 33, and 34 as follows:

6 (20 ILCS 3405/6) (from Ch. 127, par. 2706)

7 Sec. 6. Jurisdiction. The Historic Sites and Preservation
8 Division of the Agency shall have jurisdiction over the
9 following described areas which are hereby designated as State
10 Historic Sites, State Memorials, and Miscellaneous Properties:

11 State Historic Sites

12

13 Apple River Fort State Historic Site, Jo Daviess County;

14 Bishop Hill State Historic Site, Henry County;

15 Black Hawk State Historic Site, Rock Island County;

16 Bryant Cottage State Historic Site, Piatt County;

17 Buel House, Pope County;

18 Cahokia Courthouse State Historic Site, St. Clair County;

19 Cahokia Mounds State Historic Site, in Madison and St.

20 Clair Counties (however, the Illinois State Museum

21 shall act as curator of artifacts pursuant to the

22 provisions of the Archaeological and Paleontological

1 Resources Protection Act);

2 Crenshaw House State Historic Site, Gallatin County;

3 Dana-Thomas House State Historic Site, Sangamon County;

4 David Davis Mansion State Historic Site, McLean County;

5 Douglas Tomb State Historic Site, Cook County;

6 Fort de Chartres State Historic Site, Randolph County;

7 Fort Kaskaskia State Historic Site, Randolph County;

8 Grand Village of the Illinois, LaSalle County;

9 U. S. Grant Home State Historic Site, Jo Daviess County;

10 Hotel Florence, Cook County;

11 Jarrot Mansion State Historic Site, St. Clair County;

12 Jubilee College State Historic Site, Peoria County;

13 Lewis and Clark State Historic Site, Madison County;

14 Lincoln-Herndon Law Offices State Historic Site, Sangamon

15 County;

16 Lincoln Log Cabin State Historic Site, Coles County;

17 Lincoln's New Salem State Historic Site, Menard County;

18 Lincoln Tomb State Historic Site, Sangamon County;

19 Pierre Menard Home State Historic Site, Randolph County;

20 Martin Boismenu House State Historic Site, St. Clair

21 County;

22 Metamora Courthouse State Historic Site, Woodford County;

23 Moore Home State Historic Site, Coles County;

24 Mount Pulaski Courthouse State Historic Site, Logan

25 County;

26 Old Market House State Historic Site, Jo Daviess County;

1 Old State Capitol State Historic Site, Sangamon County;
2 Postville Courthouse State Historic Site, Logan County;
3 Pullman Factory, Cook County;
4 Rose Hotel, Hardin County;
5 Carl Sandburg State Historic Site, Knox County;
6 Shawneetown Bank State Historic Site, Gallatin County;
7 Vachel Lindsay Home, Sangamon County;
8 Vandalia State House State Historic Site, Fayette County;
9 and
10 Washburne House State Historic Site, Jo Daviess County.

11 State Memorials

12 Campbell's Island State Memorial, Rock Island County;
13 Governor Bond State Memorial, Randolph County;
14 Governor Coles State Memorial, Madison County;
15 Governor Horner State Memorial, Cook County;
16 Governor Small State Memorial, Kankakee County;
17 Illinois Vietnam Veterans State Memorial, Sangamon County;
18 Kaskaskia Bell State Memorial, Randolph County;
19 Korean War Memorial, Sangamon County;
20 Lewis and Clark State Memorial, Madison County;
21 Lincoln Monument State Memorial, Lee County;
22 Lincoln Trail State Memorial, Lawrence County;
23 Lovejoy State Memorial, Madison County;
24 Norwegian Settlers State Memorial, LaSalle County; ~~and~~
25 Wild Bill Hickok State Memorial, LaSalle County; and -

1 World War II Memorial, Sangamon County.

2 Miscellaneous Properties

3 Albany Mounds, Whiteside County;

4 Emerald Mound, St. Clair County;

5 Halfway Tavern, Marion County;

6 Hofmann Tower, Cook County; and

7 Kincaid Mounds, Massac and Pope Counties.

8 (Source: P.A. 92-600, eff. 7-1-02.)

9 (20 ILCS 3405/22)

10 Sec. 22. Amistad and Freedom Trail Commission.

11 (a) Purpose. The General Assembly finds and declares that
12 all people should know of and remember the human carnage and
13 dehumanizing atrocities committed during the period of the
14 African slave trade and slavery in America and of the vestiges
15 of slavery in this country; and it is in fact vital to educate
16 our citizens on these events, the legacy of slavery, the sad
17 history of racism in this country, and the principles of human
18 rights and dignity in a civilized society.

19 It is the policy of the State of Illinois that the history
20 of the African slave trade, slavery in America, the underground
21 railroad, the depth of their impact in our society, and the
22 triumphs of African-Americans and their significant
23 contributions to the development of this country is the proper
24 concern of all people, particularly students enrolled in the

1 schools of the State of Illinois.

2 It is therefore desirable to create a Commission that, as
3 an organized body and on a continuous basis, will survey,
4 design, encourage, and promote the implementation of education
5 and awareness programs in Illinois that are concerned with the
6 African slave trade, slavery in America, the vestiges of
7 slavery in this country, the underground railroad, and the
8 contributions of African-Americans in building our country; to
9 develop workshops, institutes, seminars, and other teacher
10 training activities designed to educate teachers on this
11 subject matter; and that will be responsible for the
12 coordination of events on a regular basis, throughout the
13 State, that provide appropriate memorialization of the events
14 concerning the enslavement of Africans and their descendants in
15 America and their struggle for freedom, liberty, and equality.

16 (b) Amistad and Freedom Trail Commission. The Amistad and
17 Freedom Trail Commission is created within the Agency. The
18 Commission is named to honor the group of enslaved Africans
19 transported in 1839 on a vessel named the Amistad who overthrew
20 their captors and created an international incident that was
21 eventually argued before the Supreme Court and that shed a
22 growing light on the evils of the slave trade and galvanized a
23 growing abolitionist movement towards demanding the end of
24 slavery in the United States.

25 (c) Membership. The Commission shall consist of 15 members,
26 including 3 ex officio members: the State Superintendent of

1 Education or his or her designee, the Director of Commerce and
2 Economic Opportunity or his or her designee, and the Director
3 of Historic Sites and Preservation or his or her designee; and
4 12 public members. Public members shall be appointed as
5 follows:

6 (i) 2 members appointed by the President of the Senate
7 and one member appointed by the Minority Leader of the
8 Senate;

9 (ii) 2 members appointed by the Speaker of the House of
10 Representatives and one member appointed by the Minority
11 Leader of the House of Representatives; and

12 (iii) 6 members, ~~no more than 4 of whom shall be of the~~
13 ~~same political party,~~ appointed by the Governor.

14 The public members shall be residents of this State, chosen
15 with due regard to broad geographic representation and ethnic
16 diversity, who have served actively in organizations that
17 educate the public on the history of the African slave trade,
18 the contributions of African-Americans to our society, and
19 civil rights issues.

20 Each public member of the Commission shall serve for a term
21 of 3 years, except that of the initial members so appointed:
22 one member appointed by the President of the Senate, one member
23 appointed by the Speaker of the House of Representatives, and 2
24 members appointed by the Governor shall serve for terms of one
25 year; the member appointed by the Minority Leader of the
26 Senate, one member appointed by the Speaker of the House of

1 Representatives, and 2 members appointed by the Governor shall
2 serve for terms of 2 years; and one member appointed by the
3 President of the Senate, the member appointed by the Minority
4 Leader of the House of Representatives, and 2 members appointed
5 by the Governor shall serve for terms of 3 years. Public
6 members shall be eligible for reappointment. They shall serve
7 until their successors are appointed and qualified, and the
8 term of the successor of any incumbent shall be calculated from
9 the expiration of the term of that incumbent. A vacancy
10 occurring other than by expiration of term shall be filled in
11 the same manner as the original appointment, but for the
12 unexpired term only.

13 (d) Election of chairperson; meetings. At its first meeting
14 and annually thereafter, the Commission shall elect from among
15 its members a chairperson and other officers it considers
16 necessary or appropriate. After its first meeting, the
17 Commission shall meet at least quarterly, or more frequently at
18 the call of the chairperson or if requested by 9 or more
19 members.

20 (e) Quorum. A majority of the members of the Commission
21 constitute a quorum for the transaction of business at a
22 meeting of the Commission. A majority of the members present
23 and serving is required for official action of the Commission.

24 (f) Public meeting. All business that the Commission is
25 authorized to perform shall be conducted at a public meeting of
26 the Commission, held in compliance with the Open Meetings Act.

1 (g) Freedom of Information. A writing prepared, owned,
2 used, in the possession of, or retained by the Commission in
3 the performance of an official function is subject to the
4 Freedom of Information Act.

5 (h) Compensation. The members of the Commission shall serve
6 without compensation, but shall be entitled to reimbursement
7 for all necessary expenses incurred in the performance of their
8 official duties as members of the Commission from funds
9 appropriated for that purpose. Reimbursement for travel,
10 meals, and lodging shall be in accordance with the rules of the
11 Governor's Travel Control Board.

12 (i) Duties. The Commission shall have the following
13 responsibilities and duties:

14 (1) To prepare a master plan to promote and preserve
15 the history of the African slave trade, slavery in America,
16 the vestiges of slavery in this country, the freedom trail
17 and underground railroad in the State, and the
18 contributions of African-Americans to our society.

19 (2) ~~(1)~~ To provide, based upon the collective interest
20 of the members and the knowledge and experience of the
21 members, assistance and advice to schools within the State
22 with respect to the implementation of education, awareness
23 programs, textbooks, and educational materials concerned
24 with the African slave trade, slavery in America, the
25 vestiges of slavery in this country, the underground
26 railroad, and the contributions of African-Americans to

1 our society.

2 (3) ~~(2)~~ To survey and catalog the extent and breadth of
3 education concerning the African slave trade, slavery in
4 America, the vestiges of slavery in this country, the
5 underground railroad, and the contributions of
6 African-Americans to our society presently being
7 incorporated into the curricula and textbooks and taught in
8 the school systems of the State; to inventory those African
9 slave trade, American slavery, or relevant
10 African-American history memorials, exhibits, and
11 resources that should be incorporated into courses of study
12 at educational institutions, schools, and various other
13 locations throughout the State; and to assist the State
14 Board of Education and other State and educational agencies
15 in the development and implementation of African slave
16 trade, American slavery, and African-American history
17 education programs.

18 (4) ~~(3)~~ To act as a liaison with textbook publishers,
19 schools, public, private, and nonprofit resource
20 organizations, and members of the United States Senate and
21 House of Representatives and the Illinois Senate and House
22 of Representatives in order to facilitate the inclusion of
23 the history of African slavery and of African-Americans in
24 this country in the curricula of public and nonpublic
25 schools.

26 (5) ~~(4)~~ To compile a roster of individual volunteers

1 who are willing to share their knowledge and experience in
2 classrooms, seminars, and workshops with students and
3 teachers on the subject of the African slave trade,
4 American slavery, the impact of slavery on our society
5 today, and the contributions of African-Americans to our
6 country.

7 (6) ~~(5)~~ To coordinate events memorializing the African
8 slave trade, American slavery, the freedom trail and
9 underground railroad, and the history of African-Americans
10 in this country that reflect the contributions of
11 African-Americans in overcoming the burdens of slavery and
12 its vestiges; ~~and~~ to seek volunteers who are willing and
13 able to participate in commemorative events that will
14 enhance student awareness of the significance of the
15 African slave trade, American slavery, its historical
16 impact, and the struggle for freedom; and to assist in
17 developing partnerships to seek public and private funds to
18 carry out these events.

19 (7) ~~(6)~~ To prepare reports for the Governor and the
20 General Assembly regarding its findings and
21 recommendations on facilitating the inclusion of the
22 African slave trade, American slavery studies,
23 African-American history, the underground railroad, and
24 special programs in the educational system of the State.

25 (8) To assist in and promote the making of applications
26 for inclusion in the National Park Service's National

1 Underground Railroad Network to Freedom Program.

2 (9) ~~(7)~~ To develop, in consultation with the State
3 Board of Education, curriculum guidelines that will be made
4 available to every school board for the teaching of
5 information on the African slave trade, slavery in America,
6 the vestiges of slavery in this country, the underground
7 railroad, and the contributions of African-Americans to
8 our country.

9 (10) ~~(8)~~ To solicit, receive, and accept
10 appropriations, gifts, and donations for Commission
11 operations and programs authorized under this Section.

12 (j) Commission requests for assistance. The Commission is
13 authorized to call upon any department, office, division, or
14 agency of the State, or of any county, municipality, or school
15 district of the State, to supply such data, program reports,
16 and other information, appropriate school personnel, and
17 assistance as it deems necessary to discharge its
18 responsibilities under this Act. These departments, offices,
19 divisions, and agencies shall, to the extent possible and not
20 inconsistent with any other law of this State, cooperate with
21 the Commission and shall furnish it with such information,
22 appropriate school personnel, and assistance as may be
23 necessary or helpful to accomplish the purposes of this Act.

24 (k) State Board of Education assistance. The State Board of
25 Education shall:

26 (1) Assist the Amistad and Freedom Trail Commission in

1 marketing and distributing to educators, administrators,
2 and school districts in the State educational information
3 and other materials on the African slave trade, slavery in
4 America, the vestiges of slavery in this country, the
5 underground railroad, and the contributions of
6 African-Americans to our society.

7 (2) Conduct at least one teacher workshop annually on
8 the African slave trade, slavery in America, the vestiges
9 of slavery in this country, the underground railroad, and
10 the contributions of African-Americans to our society.

11 (3) Assist the Amistad and Freedom Trail Commission in
12 monitoring the inclusion of slavery materials and
13 curricula in the State's educational system.

14 (4) Consult with the Amistad and Freedom Trail
15 Commission to determine ways it may survey, catalog, and
16 extend slave trade and American slavery education
17 presently being taught in the State's educational system.

18 The State Board of Education may, subject to the
19 availability of appropriations, hire additional staff and
20 consultants to carry out the duties and responsibilities
21 provided within this subsection (k).

22 (l) Report. The Commission shall report its activities and
23 findings, as required under subsection (i), to the Governor and
24 General Assembly on or before June 30, 2006, and biannually
25 thereafter.

26 (Source: P.A. 94-285, eff. 7-21-05.)

1 (20 ILCS 3405/33)

2 Sec. 33. Administration of the Lincoln Presidential
3 Library. The Governor, with the advice and consent of the
4 Senate, shall appoint a Library Director of the Lincoln
5 Presidential Library. The Library Director shall serve at the
6 pleasure of the Governor. The Library Director shall, subject
7 to applicable provisions of law, execute and discharge the
8 powers and duties of the Lincoln Presidential Library and
9 implement the policies set by the Board. The Library Director,
10 with the concurrence of the Board, shall appoint: ~~(a) a Library~~
11 ~~Facilities Operations Director; and (b) a Director of the~~
12 Illinois State Historical Library and may appoint a Library
13 Facilities Operations Director. Subject to concurrence by the
14 Board, the Library Director shall appoint those other employees
15 of the Lincoln Presidential Library and the Illinois State
16 Historical Library as he or she deems appropriate and shall fix
17 the compensation of the Library Facilities Operations
18 Director, the Director of the Illinois State Historical
19 Library, and other employees. The Library Director, with the
20 approval of the Board, may establish and collect admission and
21 registration fees, may operate a gift shop and restaurant, and
22 may publish and sell educational and informational materials.
23 (Source: P.A. 92-600, eff. 7-1-02.)

24 (20 ILCS 3405/34)

1 Sec. 34. Internal Auditor. There is created the Office of
2 the Internal Auditor of the Historic Preservation Agency. The
3 Office shall function in compliance with the Fiscal Control and
4 Internal Auditing Act. The Internal Auditor shall report to the
5 Director and the Board. ~~The Internal Auditor shall be appointed~~
6 ~~by the Board, shall serve at the pleasure of the Board, and~~
7 ~~shall report to the Board.~~ The Internal Auditor shall audit ~~and~~
8 ~~maintain~~ the financial books, records, papers, and
9 transactions of the Lincoln Presidential Library and the
10 Historic Sites and Preservation Division of the Historic
11 Preservation Agency. ~~The Internal Auditor shall prepare an~~
12 ~~annual report for each fiscal year of the operations of the~~
13 ~~Historic Preservation Agency, which shall be submitted to the~~
14 ~~Board, the General Assembly, and the Governor.~~ Nothing in this
15 Section shall abridge the authority of the Illinois Auditor
16 General to independently audit the Illinois Historic
17 Preservation Agency or any of the libraries, divisions, or
18 offices contained within the Agency.

19 (Source: P.A. 92-600, eff. 7-1-02.)

20 (20 ILCS 3405/20 rep.)

21 Section 10. The Historic Preservation Agency Act is amended
22 by repealing Section 20.

23 Section 15. The Illinois Historic Preservation Act is
24 amended by changing Section 3 as follows:

1 (20 ILCS 3410/3) (from Ch. 127, par. 133d3)

2 Sec. 3. There is recognized and established hereunder the
3 Illinois Historic Sites Advisory Council, previously
4 established pursuant to Federal regulations, hereafter called
5 the Council. The Council shall consist of 11 Illinois residents
6 ~~15 members~~. Of these, there shall be at least 2 ~~3~~ historians,
7 at least 2 ~~3~~ architectural historians, or architects with a
8 preservation background, and at least 2 ~~3~~ archeologists. These
9 6 members shall meet the minimum standards of professional
10 qualifications as set forth in 36 CFR 61.4(e) and verified by
11 the State Historic Preservation Officer. Professionals from
12 closely related fields are eligible to serve on the Council in
13 lieu of the above specified professionals subject to the
14 approval of the National Park Service. The remaining 5 ~~6~~
15 members shall be drawn from supporting fields and have a
16 preservation interest. Supporting fields shall include but not
17 be limited to historical geography, law, urban planning, local
18 government officials, and members of other preservation
19 commissions. All shall be appointed by the Director of Historic
20 Sites and Preservation, with the consent of the Board.

21 The Council Chairperson shall be appointed by the Director
22 of Historic Sites and Preservation from the Council membership
23 and shall serve at the Director's pleasure.

24 The Director of the Lincoln Presidential Library and the
25 Director of the Illinois State Museum shall serve on the

1 Council in advisory capacity as non-voting members.

2 The term of office for Council members shall be 2 years,
3 with 5 members to be appointed one year and 6 members to be
4 appointed in alternate years. No member shall be appointed to
5 more than 3 consecutive terms. ~~Terms of membership shall be 3~~
6 years and shall be staggered by the Director to assure
7 continuity of representation.

8 The Council shall meet at least 3 times each year.
9 Additional meetings may be held at the call of the chairperson
10 or at the call of the Director.

11 Members shall serve without compensation, but shall be
12 reimbursed for actual expenses incurred in the performance of
13 their duties.

14 (Source: P.A. 97-785, eff. 7-13-12.)

15 (20 ILCS 3988/Act rep.)

16 Section 20. The Local Legacy Act is repealed.

17 Section 25. The School Code is amended by changing Section
18 27-20.4 as follows:

19 (105 ILCS 5/27-20.4) (from Ch. 122, par. 27-20.4)

20 Sec. 27-20.4. Black History Study. Every public elementary
21 school and high school shall include in its curriculum a unit
22 of instruction studying the events of Black History, including
23 the history of the African slave trade, slavery in America, and

1 the vestiges of slavery in this country. These events shall
2 include not only the contributions made by individual
3 African-Americans in government and in the arts, humanities and
4 sciences to the economic, cultural and political development of
5 the United States and Africa, but also the socio-economic
6 struggle which African-Americans experienced collectively in
7 striving to achieve fair and equal treatment under the laws of
8 this nation. The studying of this material shall constitute an
9 affirmation by students of their commitment to respect the
10 dignity of all races and peoples and to forever eschew every
11 form of discrimination in their lives and careers.

12 The State Superintendent of Education may prepare and make
13 available to all school boards instructional materials,
14 including those established by the Amistad and Freedom Trail
15 Commission, which may be used as guidelines for development of
16 a unit of instruction under this Section; provided, however,
17 that each school board shall itself determine the minimum
18 amount of instruction time which shall qualify as a unit of
19 instruction satisfying the requirements of this Section.

20 (Source: P.A. 94-285, eff. 7-21-05.)

1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 3405/6 from Ch. 127, par. 2706

4 20 ILCS 3405/22

5 20 ILCS 3405/33

6 20 ILCS 3405/34

7 20 ILCS 3405/20 rep.

8 20 ILCS 3410/3 from Ch. 127, par. 133d3

9 20 ILCS 3988/Act rep.

10 105 ILCS 5/27-20.4 from Ch. 122, par. 27-20.4