

1 AN ACT concerning conservation.

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

4 Section 5. The State Forest Act is amended by changing
5 Section 6 as follows:

6 (525 ILCS 40/6) (from Ch. 96 1/2, par. 5907)

7 Sec. 6. The Department shall have the authority to take all
8 measures necessary to secure plants and plant materials from
9 private sources and to establish and operate nurseries to
10 produce and distribute plants and plant materials. The
11 Department shall develop and implement a program of securing
12 plants and plant materials from private sources. The Department
13 shall utilize the most modern methods and techniques to operate
14 its nursery facilities.

15 The plants and plant materials secured or produced shall be
16 used exclusively for conservation purposes, such as for
17 wildlife habitat, erosion control, energy conservation,
18 natural community restoration, general reforestation,
19 research, commemorative plantings, and educational programs
20 such as Arbor Day unless otherwise agreed through a memorandum
21 of understanding with the Illinois Green Industry Association
22 which would allow the sale of plants as liner stock. ~~Plants and~~
23 ~~plant materials distributed by the State shall not be used for~~

1 ~~ornamental, landscaping or shade tree purposes.~~ Plants and
2 plant materials secured or produced and distributed by the
3 State nurseries are to be protected against abuses, such as may
4 occur in the event of livestock grazing or wildfire.

5 The Department may cooperate with any person or group
6 desirous of establishing plants or plant materials for
7 conservation plantings by (a) furnishing trees, shrubs, seeds
8 or other materials where deemed necessary or desirable, or (b)
9 providing labor, equipment and technical supervision to plan
10 and implement the conservation plantings, or both.

11 Plants and plant materials may be provided, upon approval
12 of a written management plan, without charge to individual
13 landowners, State agencies and institutions, local
14 governments, civic groups and others for conservation
15 plantings.

16 Plants and plant materials may be provided without charge
17 to government agencies and institutions, organized groups or
18 individuals for special conservation plantings, research
19 plantings, educational purposes and commemorative plantings.

20 Plants and plant materials may be made available to the
21 general public, mining companies, other industries and
22 agencies of the federal government but shall be sold at a price
23 approximately equal to the cost of acquisition or production
24 and distribution.

25 Products such as Christmas trees, roundwood and other
26 materials derived from State distributed plants or plant

1 materials may be utilized, sold or removed, except that no such
2 plants shall be resold, bartered or given away and removed
3 alive with the roots attached unless otherwise agreed through a
4 memorandum of understanding with the Illinois Green Industry
5 Association which would allow the sale of plants as liner
6 stock.

7 The Department may effect exchanges, purchases or sales
8 involving plants and plant materials with other states or with
9 agencies of the federal government.

10 The Department shall have the authority to make such rules
11 and regulations pursuant to the Illinois Administrative
12 Procedure Act as it deems necessary for carrying out,
13 administering and enforcing the provisions of this Act.

14 (Source: P.A. 91-357, eff. 7-29-99.)